COOPERATION AGREEMENT ON THE
REGIONAL INTEGRATED MULTI-HAZARD EARLY WARNING SYSTEM
FOR AFRICA AND ASIA REGION
24th February 2011

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Agreement on the Cooperation for Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region

The Governments of Africa and Asian region, Republic of INDIA, being equally desirous of cooperating in a constructive and mutually beneficial manner for establishing early warning arrangement for reducing disaster risk, and saving lives and property from natural disasters of geologic and hydro-meteorological origin, have resolved to conclude this Agreement setting forth the framework for cooperation acceptable to all parties hereto to accomplish these ends, and for that purpose have appointed as their respective plenipotentiaries:
Who, having communicated to each other their respective full powers and having found them in good and due form, have agreed to the following:

Chapter I. Preamble

RECALLING the declarations of the special Association of South East Asian Nation Leaders' Meeting on the aftermath of the Earthquake and Tsunami held on 6 January 2005 in Jakarta to establish a regional early warning system, such as Regional Tsunami Early Warning Center in the Indian Ocean and the Southeast Asia region, and the Ministerial Meeting on Regional Cooperation on Tsunami Early Warning Arrangement on 29 January 2005 in Phuket to establish a Regional tsunami early warning arrangement within a multi-hazard context under the framework of the United Nations Educational, Scientific, and Cultural Organization's Intergovernmental Oceanographic Commission,

RECALLING the commitment and the initiative of participating countries in establishing an end-to-end multi-hazard early warning system through the resolutions of the Regional Meeting on End-to-end Multi-Hazard Early Warning System Southeast Asia: Assessment of Needs (28-29 March 2005, Bangkok), Meeting on Regional Cooperation on Early Warning Arrangement, Preparedness and Mitigation of Natural Hazards (12-14 July 2006, Bangkok), and the Regional Workshop on Multi-Hazard End-to-End Early Warning System, (17-21 April 2007, Mauritius),

RECALLING the resolution of the 1st Regional Steering Committee Meeting (25 January 2008, Bangkok) for participating countries to take ownership and responsibility to sustain the regional early warning arrangements by mobilizing resources and setting up institutional mechanisms to ensure sustainability of the system,

RECALLING the interest and willingness of the Governments of Bangladesh, Bhutan, Cambodia, Comoros, China, India, Indonesia, Kenya, Lao PDR, Madagascar, Maldives, Mauritius, Mongolia, Mozambique, Myanmar, Nepal, Pakistan, Philippines, Seychelles, Somalia, Sri Lanka, Tanzania, Thailand, Timor-Leste, Vietnam, and Yemen, to participate in the regional early warning arrangements,

RECALLING the arrangements established with the University of Hawaii Sea Level Center under the United Nations Educational, Scientific, and Cultural Organization's Intergovernmental Oceanographic Commission, and the World Meteorological Organization to provide support and collaborate with the regional early warning arrangement,

RECALLING the collaborative arrangement with the Government of China through the China Meteorological Administration and China Earthquake Administration, Government of India through the Indian National Centre for Ocean Information Services, Government of the Philippines through the Philippine Atmospheric, Geophysical and Astronomical Services Administration and the Philippine Institute of Volcanology & Seismology, for assisting participating countries in the region,
ACKNOWLEDGING the strong desire and willingness of the respective Governments to take ownership of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region and to manage, sustain, re-assess, re-define and establish the future framework for cooperation,

RECOGNIZING that monitoring, early warning, preparedness and mitigation of trans-boundary natural hazards is of immense value to all the countries for safeguarding the economic and social well-being and living standards of their people,

REAFFIRMING the determination to continue to cooperate and promote in a constructive and mutually beneficial manner in the utilization and management of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region services for social and economic development and the well-being of all States,

REALIZING the necessity to provide an adequate, efficient and functional joint organizational structure to implement this Agreement and the projects, programs and activities taken there under in cooperation and coordination with each Member State and the international community, and to address and resolve issues and problems that may arise from the use and development of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region in an amicable, timely and constructive manner,

PROCLAIMING further the following specific objectives, principles, institutional framework, financial management and ancillary provisions in conformity with the objectives and principles of the Charter of the United Nations and International law:

Chapter II. Definition of Terms

For the purposes of this Agreement, it shall be understood that the following meanings to the underlined terms shall apply, except where otherwise inconsistent with the context:

Early Warning:

The provision of timely and effective information, through designated national institutions, that allows individuals, institutions and societies exposed to a hazard to take action to minimize impact and prepare for effective response.

Early Warning System:

A system that addresses a chain of concerns: understanding and mapping the hazard; monitoring and forecasting/predicting impending/emerging hazardous events; processing and disseminating understandable warnings to authorities and the population, and undertaking appropriate and timely actions in response to the warnings by involvement and participation of all stakeholders.
Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region:

A complete and effective multi-hazard early warning system that facilitates establishment and maintenance of core regional observation and monitoring networks jointly with the participation of Member States, provides Regional multi-hazard early warning assessments to designated institutions of Member States, carry out directed research and development support to enhance capabilities of National Meteorological, Oceanographic, Hydrological and Seismological Services to provide multi-hazard impact information on various time scales, enhances capabilities of national systems in the application of scientific evidence-based early warning information for decision making purposes and builds capacities of National civil defense organizations to enhance community preparedness to respond to early warning information.

Master Plan:

A comprehensive program document that operationalises the overall concept to provide Regional Integrated Multi-hazard Early Warning System based Services to Member States in a cost-effective and sustainable manner.

Member State:

A sovereign State, that has expressed interest to participate in the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region and accepts the rights and obligations under this agreement, being the sole authority to provide early warning services in its jurisdiction.

Multi-Hazard:

A single or any combination of the following natural hazards: avalanche, cyclone or typhoon, drought, earthquake, flood, landslide, lightning strikes, snowstorm, storm surge, thunderstorm, tsunami, tornado, wave action-associated coastal erosion, and any other natural hazard as agreed by the Member States.

Regional Facility:

The Regional Facility, a project implemented by Asian Disaster Preparedness Center, currently located at the Outreach Building, Asian Institute of Technology, Pathumthani, Thailand, with funding support from the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) through the United Nations Tsunami Regional Trust Fund, United Nations Development Program, the Government of Denmark through the Danish International Development Agency, and the American Red-Cross comprises the scientific, technical and professional staff, data processing facilities, communication,
observation and monitoring networks, and information systems necessary to enhance capacities for provision of regional integrated early warning services, and any changes thereafter.

**State:**

Any sovereign State not necessarily a party to this Agreement.

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**Chapter III. Objectives and Principles of Cooperation**

**Article 1. Objectives:**

A) To promote Regional Integrated Multi-hazard Early warning System, as defined in this Agreement, to cater to different needs and demands of Member States for provision of early warning services for enhanced disaster preparedness, response and risk reduction of natural hazards on continuous basis with following specific objectives.

1). To facilitate establishment/expansion and maintenance of core regional observation and monitoring networks and ensure data availability for effective monitoring and early warning purposes.

2). To provide Regional Tsunami Watches within the framework of United Nations Educational Scientific, and Cultural Organization's Intergovernmental Oceanographic Commission.

3). To provide Research and Development support to National Meteorological, Oceanographic, Hydrological and Seismological services for providing localized multi-hazard impact information.

4). To enhance capacities of National systems to respond to early warning information of different lead times at National, sub-National, local, and at-risk community levels with in each National Early Warning framework.

B). To provide portfolio of options for Member States to avail from/contribute to any specific objective or objectives.

**Article 2. Projects, Programs and Planning**

To promote, support, cooperate and coordinate in the development and implementation of joint projects and programs benefiting all participating Member States for early warning of natural hazards.
Article 3. Sovereign Equality and Territorial Integrity

To cooperate on the basis of sovereign equality and territorial integrity in terms of sharing and utilization of early warning information.

Article 4. Member States’ Responsibility

The Member States to exchange monitoring data from observation and monitoring networks of the regional system for the sole purpose of delivering early warning services; to coordinate and collaborate with all agencies in their respective countries to ensure upkeep and maintenance of the multi-hazard observation and monitoring system on a sustained basis; to collectively own and maintain the regional facility and utilize early warning information, research and development outcomes and capacity building services within the frameworks of the United Nations Educational, Scientific, and Cultural Organization’s Intergovernmental Oceanographic Commission, and the World Meteorological Organization; and to address and resolve all issues, differences and disputes in an amicable and timely manner by peaceful means as provided in Articles 28 and 29 of this Agreement, and in conformity with the Charter of the United Nations.

Chapter IV. Institutional Framework

A. Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region.

Article 5. Status

The institutional framework for cooperation among participating Member States under this Agreement shall be called the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region and shall, for the purpose of the exercise of its functions, operate as a non-profit-making, autonomous institution, international in character, and non-political in management, staffing and activities, including entering into agreements and obligations with the donor or international community.

Article 6. Structure of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region

The Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region shall consist of three permanent bodies:
Council

Secretariat, and

Program Unit

B. COUNCIL

Article 7. Composition of the Council

The Council shall be composed of representatives from respective nodal agencies generating multi-hazard early warning, who would be empowered to make policy decisions on behalf of his/her government. Each Member State would have only one vote in the Council.

Article 8. Chairmanship of the Council

The first Chairman of the Council shall be elected from among the members of the Council by consensus or, in case of a contest, by majority of the members present and voting. The first Chairman of the Council shall serve for a term of not less than two years in the initial establishment phase, and, the tenure of subsequent Chairman thereafter for one year, on rotation, according to the alphabetical listing of Member States.

Article 9. Sessions of the Council

The Council shall convene at least one regular session every year and may convene special sessions whenever it considers it necessary, or upon the request of one third of Member States. It may invite observers to its sessions as it deems appropriate.

Article 10. Functions of the Council

The functions of the Council are:

A. To make policies and decisions and provide other necessary guidance concerning the regional early warning arrangements for enhanced preparedness, response and impact minimization/risk reduction of natural hazards, as provided for under this Agreement

B. Formulate a Master Plan with joint programs and projects to provide sustained early warning services for enhanced preparedness, response and impact minimization of natural hazards to Member States, which would be periodically reviewed and revised as necessary

C. To regulate Budget and Audit management matters in accordance with Articles (20 and 21)

D. To approve the annual work program prepared by the Program Unit and Secretariat
E. To invite donors to coordinate their support through a Donor Consultative Group if considered necessary.

F. To constitute scientific, technical and other committees, either standing or ad-hoc, to accomplish specific tasks.

G. To seek support and guidance from, through innovative institutional arrangements, highest political Government authorities and committed persons of eminence to mobilize resources for sustaining regional early warning arrangement and implementation of Master Plan.

H. To entertain, address and resolve issues, differences and disputes referred to it by any Council member, Secretariat, Program Unit, or any Member State on matters arising under this Agreement.

I. To decide on any transfer of the Regional Integrated Multi-Hazard Early Warning System headquarters, in accordance with Article 24, with two-thirds of the members of the Council present and voting.

J. To approve financial regulations, acting by a majority of two-thirds of the Member States, provided that the sum of the contributions from these Member States represents at least two-thirds of the total contributions to the budget of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region.

K. To approve staff regulation with two-thirds of the members of the Council present and voting.

L. To approve Delegation of Powers to the Program Unit to manage the day-to-day operations of the Regional Facility, with two-thirds of members of the Council present and voting.

M. To decide on any other issue toward achieving the objectives of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region.

**Article 11. Rules of Procedures**

The Council shall adopt its own Rules of Procedures, and may seek technical advisory services as it deems necessary.

**Article 12. Decisions of the Council**

Decisions of the Council shall be by simple majority present and voting, except otherwise stated.
C. SECRETARIAT

Article 13. Purpose of the Permanent Secretariat

One among the Member States shall render administrative services to the Council and as a Secretariat, provide all support to the Program Unit in managing the day-to-day operations of the Regional Facility in accordance with delegation of powers, financial regulation and staff regulation to be approved by the Council.

Article 14. Location of the Secretariat

There will be a Permanent Secretariat with its location changing through rotation among Member States. The initial location of the Secretariat, as well as its tenure, shall be decided by the Council, considering, among other things, the stability of regional early warning system operations.

Article 15. Functions of the Secretariat

The functions and duties of the Secretariat will be to:

A. Carry out the decisions and tasks assigned by the Council and the under this Agreement;

B. Provide all support to the Program Unit to manage Regional Facility, as per delegation of powers, financial regulation and staff regulation by the Council;

C. Transmit the annual work program prepared by the Program Unit to the Council;

D. Facilitate conduct of sessions of the Council in collaboration with Program Unit;

E. Fulfill all statutory requirements to meet all obligations to the United Nations and International organizations, with approval of the Council;

F. Negotiate a headquarter country/institutional agreement, and enter into agreement to facilitate effective delivery of early warning services, if necessary, with approval of the Council; and

G. Carry out all other assignments as may be requested by all other organs under this Agreement.

D. PROGRAM UNIT

Article 16. Location

The Program Unit shall be co-located with the Regional Facility.
Article 17: Purpose

The Program Unit, with the directions of the Council and in collaboration with the Secretariat, shall undertake day-to-day administration to manage the Regional Facility located at Asian Institute of Technology (AIT), Bangkok, and evolve and implement projects and programs in accordance with delegation of powers, financial and staff regulations to be approved by the Council.

Article 18. Establishment and Functions of the Program Unit

The Program Unit, with appropriate expertise, shall be established by the Council with appropriate mix of personnel through international hire and seconded from Member States, as per staff regulation approved by the Council and in keeping with the international character of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region. The Program Unit, as per staff and financial regulations, with delegated powers to be approved by the Council, will:

A. Undertake day-to-day administration of the Regional Facility, through appropriate management mechanisms, reporting and accountable to the Council through the Secretariat;

B. Obtain financial and administrative support from the Council and in collaboration with the Secretariat, for maintaining and managing the Regional Facility;

C. Formulate and implement projects and programs to meet the demands and needs of Member States, and mobilize resources to provide support to the Regional Facility, in collaboration with the Secretariat;

D. Formulate the annual work program, and prepare all other plans, and submit to the Council and through Secretariat;

E. Assist the Secretariat to make preparations for sessions of the Council;

F. Carry out all other assignments as may be required under this Agreement.

Chapter V. Financial Management

Article 19. Assumption of Assets, Obligations and Rights

The Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region, through the Secretariat and the Program Unit, shall assume all the assets, rights and obligations of the Regional early warning arrangements and the Regional Facility as and where basis as defined in this Agreement.
Article 20. Budget of the Regional Integrated Multi-Hazard Early Warning System

The budget of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region shall be drawn by the Council, and shall consist of contributions from Member States, unless otherwise decided by the Council, from the international community (donor countries), and from other sources to be approved by the Council. The financial regulation to be approved by the Council shall guide budgetary management.

Article 21. Audit

Accounts of all revenues and expenditures shown in the budget, and the balance sheet of assets and liabilities of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region shall, under the conditions laid down in the financial regulations, be submitted for independent audit to establish that all revenues have been received, and all expenditures are incurred in a lawful and regular manner, and that the financial management of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region has been sound. The auditors shall submit a report on the annual accounts to the Council.

Chapter VI. Addressing Differences and Disputes

Article 22. Resolution by the Council

Whenever any difference or dispute may arise between two or more parties to this Agreement regarding any matters covered by this Agreement and/or actions taken by its various bodies, particularly as to the interpretations of the Agreement and legal rights of the parties, the Council shall first make every effort to resolve the issue.

Article 23. Resolution by Governments

In the event that the Council is unable to resolve the difference or dispute within a timely manner, the issue shall be referred to the Governments to take cognizance of the matter for resolution by negotiation through diplomatic channels within a timely manner, and may communicate their decision to the Council for further proceedings as may be necessary to carry out such decision. Should the Governments find it necessary or beneficial to facilitate the resolution of the matter, they may, by mutual agreement, request the assistance of mediation through an entity or party mutually agreed upon, and thereafter to proceed according to the principles of International law.

Chapter VII. Final Provisions

Article 24. Headquarters and Languages

The headquarters of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region shall be at the Outreach Building, Asian Institute of Technology campus, 58
Article 25. Entry into Force and Prior Agreements

This Agreement shall:

A. Enter into force with signing by a minimum of three Member States, on the date of signature by the appointed plenipotentiaries.

B. All other Member States listed in the preamble of this Agreement on the Cooperation on Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region could sign this Agreement on completion of their respective Government formalities by the appointed plenipotentiaries. Till then, all Member States listed in the preamble of this Agreement could participate in all Council meetings and other fora as per Rules of Procedures.

C. Any States Member States not listed in the preamble of this Agreement on the Cooperation on Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region could sign this Agreement by the appointed plenipotentiaries, with consent of the Council, and become a Member State to this Agreement.

Article 26. Amendments, Modification, Supersedence and Termination

This Agreement may be amended, modified, superseded by the mutual agreement of all parties hereto at the time of such action.

Article 27. Scope of Agreement

This Agreement shall consist of the Preamble and all provisions thereafter and amendments thereto, the Annexes, and all other agreements entered into by the Parties under this Agreement.

Article 28. Privileges, Immunities and Liabilities

Privileges and immunities that Member States and staff and experts of the Regional Facility and Program Unit can enjoy in the territories of the Member States shall be determined in a protocol, which shall be annexed to this Agreement and which shall form an integral part thereof.
The Regional Integrated Multi-Hazard Early Warning System is not liable for any of its early warning information products communicated to any Member State, and is not answerable to any court of law anywhere and under any circumstances.

Article 29. Withdrawal

Any party to this Agreement may withdraw their participation under the present Agreement by giving written notice to the Chairman of the Council, who shall acknowledge receipt thereof and immediately communicate it to members of the Council. Such notice of withdrawal shall take effect one year after the date of acknowledgment or receipt, unless such notice is withdrawn beforehand, or the parties mutually agree otherwise. Unless mutually agreed upon to the contrary by all remaining parties to this Agreement, such notice shall not be prejudicial to nor relieve the noticing party of any commitments entered into concerning programs, projects, studies or other recognized rights and interests of any Member States, or under International law.

Article 30: Dissolution of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region

A. Unless the Council otherwise decides, the Regional Integrated Multi-hazard Early Warning System for Afro-Asian Region shall be dissolved in case the withdrawal of Member States results in erosion of contribution and the financial resource availability is not enough to achieve objectives mentioned under Article 1.

B. In addition to the case referred to in paragraph 30 (A), the Regional Integrated Multi-hazard Early Warning System for Afro-Asian Region may be dissolved at any time, by the Council by all members present and voting unanimously.

C. In the event of dissolution, the Council shall appoint a liquidator. Unless the Council decides otherwise, assets/ funds shall be distributed among the Member States at the time of dissolution on a pro-rata basis according to the contributions actually paid by them during the time in which they have been parties to this Agreement.

Article 31. Deposition of the Agreement

This Agreement shall be deposited with the Secretariat.

Article 32 – Notification of signatures and related matters

The Secretariat shall notify the signatory and acceding States of:

A. Any signature to this Agreement;
B. The deposit of all instruments of ratification, acceptance, approval or accession;
C. The entry into force of this Agreement;

D. Any written notification of acceptance of an amendment to this Agreement;

E. The adoption and entry into force of any amendment; and

F. Any loss of membership.

As soon as this agreement enters into force and any amendments to it enter into force, the Secretariat shall register them with the General Secretariat of the United Nations, in accordance with Article 102 of the Charter of the United Nations.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective governments, have signed this Agreement.

DONE at Bangkok, Thailand on the 24th February 2011 in three (3) original documents in English and One (1) document in Hindi Language. Both documents are being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Ministry of Earth Sciences of
the Republic of India

[Signature]

Dr. Shailesh Nayak
Secretary
Protocol to the agreement on the cooperation for
Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region

The Government of India have signed on this day the AGREEMENT ON THE COOPERATION FOR REGIONAL INTEGRATED MULTI-HAZARD EARLY WARNING SYSTEM for Afro-Asian region.

Said AGREEMENT provides for, in Chapter IV, the establishment of the Regional Integrated Multi-Hazard Early Warning System for Afro-Asian Region as the institutional framework through which the AGREEMENT will be implemented.

BY THIS PROTOCOL, the signatory parties to the AGREEMENT do hereby declare the establishment and commencement of the REGIONAL INTEGRATED MULTI-HAZARD EARLY WARNING SYSTEM for Afro-Asian Region, consisting of three permanent bodies, the COUNCIL, SECRETARIAT initially located in the Maldives, and the PROGRAM UNIT with the regional facility located in the Asian Institute of Technology campus in Pathumthani, Thailand, effective on this date, with the full authority and responsibility set forth under the AGREEMENT.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective governments, have signed this Protocol.

DONE at Bangkok, Thailand on the 24th February 2011 in three (3) original documents in English and One (1) document in Hindi Language. Both documents are being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Ministry of Earth Sciences of the Republic of India

[Signature]

Dr. Shailesh Nayak
Secretary