

No. 16434

MULTILATERAL

**Agreement establishing the Southeast Asia Tin Research and
Development Centre. Concluded at Bangkok on 28 April
1977**

Authentic text: English.

Registered ex officio on 10 February 1978.

MULTILATÉRAL

**Accord portant création du Centre de recherche-développe-
ment de l'étain pour l'Asie du Sud-Est. Conclu à
Bangkok le 28 avril 1977**

Texte authentique : anglais.

Enregistré d'office le 10 février 1978.

AGREEMENT¹ ESTABLISHING THE SOUTHEAST ASIA TIN RESEARCH AND DEVELOPMENT CENTRE

PREAMBLE

The Governments of tin-producing countries of Southeast Asia, signatories to this Agreement,

Recognizing the role of tin as a major source of their income, which they should develop and safeguard in such a way as to provide them with the greatest legitimate benefits,

Aware that tin as a mineral resource is a wasting asset which must be conserved and utilized wisely,

Convinced that the present situation of and future outlook for tin necessitate their joining together to solve their common problems and to obtain the benefits of co-operation in the areas of exploration, development and production,

Convinced furthermore that the formation of an organization among the tin-producing countries of Southeast Asia would provide a necessary and effective instrument for implementation of the basic strategy of plan harmonization and co-operation on a commodity basis for achieving the accelerated development of their economies,

Recalling the recognition by the Second Technical Conference on Tin, held at Bangkok in November 1969, of the need for the establishment of a tin research and development centre for Southeast Asia and that steps had subsequently been taken by the secretariat of the then United Nations Economic Commission for Asia and the Far East (ECAFE) towards its realization, in response to the requests made by the Governments of Indonesia, Malaysia and Thailand,

Believing that such a grouping is in accordance with the principle endorsed by ECAFE at its twenty-third and twenty-fourth sessions held in 1967 and 1968, by the United Nations Economic and Social Council at its forty-third² and forty-fifth³ sessions, by the United Nations Conference on Trade and Development in General Principle Ten of the Final Act of its first session in 1964,⁴ and by the declaration of the United Nations General Assembly at its 1883rd plenary meeting⁵ on an international development strategy for the Second Development Decade,

¹ Came into force for the States indicated hereafter on 10 February 1978, i.e., on the thirtieth day after the date of deposit with the Secretary-General of the United Nations of the third instrument of ratification, in accordance with article 8. Instruments of ratification were deposited as follows:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Indonesia	11 January 1978
Malaysia	11 January 1978
Thailand	11 January 1978

² United Nations, *Official Records of the Economic and Social Council, Forty-third Session, Supplement No. 2* (E/4358).

³ *Ibid.*, *Forty-fifth Session, Supplement No. 2* (E/4498).

⁴ *Proceedings of the United Nations Conference on Trade and Development*, vol. I, *Final Act and Report*.

⁵ *United Nations, Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 28* (A/8028), p. 39.

Realizing that the co-ordination of national efforts among the tin-producing countries that could be effected by such an organization would lead to better utilization of resources for improving the tin economy and promoting its rapid development,

As a contribution to the development and prosperity of the tin industry of Southeast Asia and of the world, and

In expectation of achieving close and fruitful co-operation among themselves in such fields,

Have resolved to combine their efforts and have agreed upon the following:

Article 1. ESTABLISHMENT OF THE CENTRE

(a) There shall be established in accordance with this Agreement an organization to be known as the Southeast Asia Tin Research and Development Centre hereinafter referred to as "the Centre".

(b) The Centre shall be sited in Malaysia.

(c) The Centre shall have legal personality and the capacity to exercise in the territory of each and every member country all the powers and rights arising from that legal personality including the power to acquire, hold and dispose of property, and enter into contracts.

Article 2. PURPOSE AND POWERS

The principal aim of the Centre shall be to promote, co-ordinate and harmonize all activities relating to the development of the tin industry in the member countries with a view to achieving the following particular objectives:

- (a) To stimulate, conduct and co-ordinate research in the tin industry on technical and economic aspects of exploration, evaluation, development, and smelting;
- (b) To conduct studies on problems associated with the beneficiation of tin ores and complex ores containing significant percentages of fine-grained tin-bearing minerals;
- (c) To collect, collate and publish statistics and data of importance for the continued prosperity of the tin-mining industry;
- (d) To increase the technological knowledge within the industry by establishing training courses [and] promoting lectures, symposia on the job and other means of training and development for citizens of member countries;
- (e) To provide advisory services, and to carry out, commission, or promote the study of scientific, technological and economic aspects of development of the tin industry;
- (f) To provide a forum for the exchange of knowledge and discussion of problems relating to all aspects of the tin industry;
- (g) To engage in any undertaking, conduct any act, or do all such other things as may appear desirable, incidental or conducive to the attainment of the above objectives.

Article 3. MEMBERSHIP

(a) The founding members of the Centre shall be the signatories to this Agreement.

(b) Other tin-producing countries may join the Centre upon the unanimous approval of the existing members of the Centre and by accession to this Agreement. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 4. MANAGEMENT OF THE CENTRE

(a) The Centre shall carry out its functions and responsibilities through a Board of Management, hereinafter referred to as “the Board”.

(b) The Board shall, subject to the provisions of this Agreement, be the supreme authority of the Centre, responsible for drawing up its general policy, directing its activities, and laying down the rules governing it.

(c) Each member country shall be represented on the Board by one representative with plenipotentiary authority, who may be accompanied by a number of aides.

(d) The Centre shall have a Director, who shall be responsible to the Board for the implementation of its directives.

(e) The Board shall elect a Chairman who shall be rotated on an annual basis; the Chairman may hold office for consecutive terms if so requested by the Board.

(f) Subject to the provisions of this Agreement, the Board shall draft a constitution for the Centre and shall adopt its own rules of procedure in accordance with general practice.

Article 5. RELATIONSHIP WITH UNITED NATIONS AND OTHER ORGANIZATIONS

The Centre shall maintain close relations with the organs of the United Nations and its specialized agencies. In carrying out its functions in any particular field the Centre may consult, co-operate with and seek assistance from the United Nations organs or its specialized agencies, or other organizations having particular responsibility or interest in that field.

Article 6. GENERAL PROVISIONS

(a) Subject to the provisions of this Agreement the Centre shall adopt such regulations, including financial and staff regulations, as are necessary to carry out the purposes of this Agreement.

(b) Pending the establishment of its own secretariat, the Centre may request the Executive Secretary of the United Nations Economic and Social Commission for Asia and the Pacific and/or the Government of Malaysia as host country to provide secretariat assistance to service the Centre.

Article 7. SIGNATURE AND RATIFICATION

(a) The original of this Agreement in a single copy in the English language shall remain open for signature, by the duly accredited representatives of the founding members, at the United Nations Economic and Social Commission for Asia and the Pacific in Bangkok until 30 April 1977. This Agreement shall thereafter be transmitted to the Secretary-General of the United Nations.

(b) This Agreement shall be subject to ratification or acceptance by the signatory Governments in accordance with their respective constitutional procedures.

(c) Instruments of ratification shall be lodged with the Secretary-General of the United Nations not later than 31 July 1977.

Article 8. ENTRY INTO FORCE

This Agreement shall enter into force on the thirtieth day following the deposit of the third instrument of ratification with the Secretary-General of the United Nations.

Article 9. VOLUNTARY WITHDRAWAL

After this Agreement has entered into force a member country may withdraw voluntarily from the Agreement by giving written notice thereof simultaneously to the Centre and the Secretary-General of the United Nations. Withdrawal shall become effective ninety days after the notice is received by the Secretary-General of the United Nations.

Article 10. AMENDMENT

The Centre may, by unanimous vote of all the members, amend the provisions of this Agreement. The Secretary-General of the United Nations shall be notified forthwith of any such amendment.

Article 11. SAFEKEEPING OF ORIGINAL AGREEMENT
AND OTHER DOCUMENTS

(a) The original of this Agreement and any amendments thereto and the instrument of ratification, acceptance or accession shall be deposited in the archives of the United Nations, and the Secretary-General of the United Nations shall transmit certified copies thereof to each signatory and acceding Government.

IN WITNESS WHEREOF, the undersigned, duly authorized by their respective Governments, have signed this Agreement at Bangkok, Thailand, on the dates appearing opposite their signatures.

[Illegible] Date: 28 April 1977

On behalf of the Government of Indonesia

[Illegible] Date: 28 April 1977

On behalf of the Government of Malaysia

[Illegible] Date: 28 April 1977

On behalf of the Government of Thailand