



**SECRETARIAT OF THE CONFERENCE ON INTERACTION  
AND CONFIDENCE BUILDING MEASURES IN ASIA**

**СЕКРЕТАРИАТ СОВЕЩАНИЯ ПО ВЗАИМОДЕЙСТВИЮ  
И МЕРАМ ДОВЕРИЯ В АЗИИ**

**№RTF/1373**

The Secretariat of the Conference on Interaction and Confidence Building Measures in Asia (CICA) presents its compliments to the CICA Member States and, with reference to the notes previously circulated by the Secretariat regarding the Convention on the Privileges and Immunities of the Secretariat, its Personnel and Representatives of Members of the Conference on Interaction and Confidence Building Measures in Asia of 2010 (*hereinafter "the Convention"*), has the honour to inform the following.

*Enclosure:  
as stated,  
on 16 p.*

The Secretariat reiterates its request to the Member States to respond to the call of the Heads of State/Government as reflected in the declarations of the Fourth and Fifth Summits and to the call of the Foreign Ministers as reflected in the declarations of the Fourth and Fifth Ministerial Meetings and to take all necessary actions to bring the Convention into force.

In this regard, the Secretariat has the honour to forward herewith a copy of the Convention, presentation and table on the status of signing and ratification of the Convention.

The Secretariat kindly requests the CICA Member States that have signed but not ratified and those that have neither signed nor ratified the Convention to provide current information on the ongoing internal procedures to bring the Convention into force.

The Secretariat avails itself of this opportunity to renew to the CICA Member States the assurances of its highest consideration.

Astana, 1 November 2022

**MEMBER STATES  
OF THE CONFERENCE ON INTERACTION  
AND CONFIDENCE BUILDING MEASURES  
IN ASIA**





**SECRETARIAT OF THE CONFERENCE ON INTERACTION  
AND CONFIDENCE BUILDING MEASURES IN ASIA**

**СЕКРЕТАРИАТ СОВЕЩАНИЯ ПО ВЗАИМОДЕЙСТВИЮ  
И МЕРАМ ДОВЕРИЯ В АЗИИ**

**№RTF/1373**

Секретариат Совещания по взаимодействию и мерам доверия в Азии (СВМДА) свидетельствует свое уважение государствам-членам СВМДА и, в дополнение к ранее направленным нотам Секретариата касательно Конвенции о привилегиях и иммунитетах Секретариата, его персонала и представителей государств-членов Совещания по взаимодействию и мерам доверия в Азии от 2010 года (*далее - Конвенция*), имеет честь сообщить следующее.

Секретариат вновь просит государства-члены откликнуться на призыв глав государств/правительств, отраженных в декларациях четвертого и пятого Саммита и на призыв глав внешнеполитических ведомств, отраженных в декларациях четвертой и пятой Министерской встречи и предпринять все необходимые действия для вступления Конвенции в силу.

В этой связи, Секретариат имеет честь направить копию Конвенции, Презентацию и Таблицу о статусе подписания и ратификации Конвенции.

Секретариат любезно просит государства-члены СВМДА подписавших, но не ратифицировавших и не подписавших и не ратифицировавших Конвенцию, предоставить информацию о текущем статусе проводимых внутригосударственных процедур по вступлению Конвенции в силу.

Секретариат пользуется случаем, чтобы возобновить государствам-членам СВМДА уверения в своем самом высоком уважении.

город Астана, 1 ноября 2022 г.

**ГОСУДАРСТВА-ЧЛЕНЫ  
СОВЕЩАНИЯ ПО ВЗАИМОДЕЙСТВИЮ И  
МЕРАМ ДОВЕРИЯ В АЗИИ**



Азиядағы өзара іс-қимыл және сенім шаралары кеңесінің (Азия Кеңесінің) Хатшылығы Азия Кеңесінің мүше мемлекеттеріне өзінің зор ілтипатын білдіре отырып, 2010 жылғы Азиядағы өзара іс-қимыл және сенім шаралары кеңесі Хатшылығының, оның персоналының және Кеңеске мүше мемлекеттер өкілдерінің артықшылықтары мен иммунитеттері туралы конвенцияға (*бұдан әрі – Конвенция*) қатысты Хатшылықтың бұған дейін жіберілген ноталарына қосымша ретінде келесіні хабарлауды өзіне мәртебе санайды.

Қосымша:  
аталған, 16 п.

Хатшылық мүше мемлекеттерден төртінші мен бесінші Саммиттерінің декларацияларында көрініс тапқан Мемлекет/Үкімет басшыларының үндеуіне және төртінші мен бесінші Министрлік кездесулерінің декларацияларында көзделген сыртқы саяси ведомстволар басшыларының үндеуіне үн қосуды және Конвенцияның күшіне енуі үшін барлық қажетті шараларды қолдауды қайтадан сұрайды.

Осыған байланысты Хатшылық Конвенцияның көшірмесін, Конвенцияға қол қою және ратификациялау мәртебесі туралы презентация мен кестені жіберуді өзіне мәртебе санайды.

Хатшылық Конвенцияға қол қойған, бірақ оны ратификацияламаған және Конвенцияға қол қоймаған, әрі оны ратификацияламаған Азия Кеңесінің мүше мемлекеттерінен Конвенцияның күшіне енуі бойынша жүргізіліп жатқан мемлекет ішіндегі рәсімдер туралы ағымдағы ақпаратты ұсынуды сұрайды.

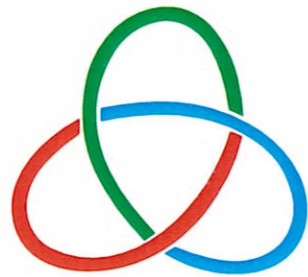
Хатшылық осы мүмкіндікті пайдалана отырып, Азия Кеңесінің мүше мемлекеттеріне өзінің зор ілтипатын тағы да растайды.

Астана қаласы, 2022 жылғы 1 қараша

**АЗИЯДАҒЫ ӨЗАРА ІС-ҚИМЫЛ ЖӘНЕ  
СЕНІМ ШАРАЛАРЫ КЕҢЕСІНІҢ МҮШЕ  
МЕМЛЕКЕТТЕРІ**

**CICA Member-States that have signed/ratified  
the Convention on the privileges and immunities of the  
Secretariat, its personnel and representatives of Members of the  
Conference on interaction and confidence building measures in  
Asia**

<b>№</b>	<b>Member-state</b>	<b>Signed</b>	<b>Ratified</b>
1	Afghanistan		
2	Azerbaijan	+	+
3	Bahrain		
4	Bangladesh		
5	Cambodia	+	
6	China	+	
7	Egypt		
8	India	+	+
9	Iran	+	
10	Iraq		
11	Israel	+	
12	Jordan	+	
13	Kazakhstan	+	+
14	Kuwait		
15	Kyrgyzstan	+	+
16	Mongolia	+	+
17	Pakistan	+	
18	Palestine	+	
19	Qatar		
20	Republic of Korea	+	
21	Russia	+	+
22	Sri Lanka		
23	Tajikistan	+	
24	Thailand	+	
25	Turkey	+	+
26	United Arab Emirates		
27	Uzbekistan		
28	Viet Nam		



***CICA***

CONVENTION  
ON THE PRIVILEGES AND IMMUNITIES OF  
THE SECRETARIAT, ITS PERSONNEL AND  
REPRESENTATIVES OF MEMBERS OF THE  
CONFERENCE ON INTERACTION AND  
CONFIDENCE BUILDING MEASURES  
IN ASIA

Member States of the Conference on Interaction and Confidence Building Measures in Asia, which concluded the present Convention,

Being guided by the generally recognised principles and norms of international law and the Almaty Act of 4 June 2002,

Aiming at the implementation of paragraph 2 of Article 5 of the Statute of the Secretariat of the Conference on Interaction and Confidence Building Measures in Asia of 17 June 2006,

have agreed as follows:

**Article 1  
Definitions**

For the purposes of the present Convention, the following definitions shall be used:

- a) "CICA" shall mean the Conference on Interaction and Confidence Building Measures in Asia;
- b) "Secretariat" shall mean Secretariat of the CICA;
- c) "Parties" shall mean the CICA Members, which have ratified, accepted, approved or acceded to the present Convention;
- d) "Executive Director" shall mean Chief Executive Officer of Secretariat;
- e) "Deputy Executive Director" shall mean deputy Chief Executive Officer of Secretariat;
- f) "Members of the professional personnel" shall mean officers of the Secretariat, seconded by the CICA Members and appointed by the Executive Director, after approval by the CICA Senior Officials Committee;
- g) "The members of family" shall mean spouse and dependent children under 18 years of age, of the Executive Director, the Deputy Executive Director and the Members of the professional personnel of the Secretariat residing together with them;
- h) "Representatives of the Parties" shall mean the persons, designated by the respective Parties to participate in CICA meetings.

**Article 2  
Legal Capacity of the Secretariat**

The Secretariat shall enjoy in the territory of each Party such legal capacity as is necessary for the exercise of its functions.

**Article 3**  
**Privileges and Immunities:**  
**General Provisions**

1. The privileges and immunities under the present Convention are not for the personal benefit of the individuals concerned, but to ensure the independent execution of their official functions.
2. Immunity shall be waived where the immunity would impede the course of justice and without prejudice to the purpose for which the immunity is accorded. The waiver must always be express. The decision to waive the immunity shall be taken:
  - a) with respect to the Executive Director and the Deputy Executive Director, by Ministers of Foreign Affairs or their officially authorized representatives upon the recommendation of the CICA Senior Officials Committee, by consensus at ministerial meetings or unanimously through diplomatic channels during the period between such meetings;
  - b) with respect to the Members of the professional personnel, by the CICA Senior Officials Committee upon the recommendation of the Executive Director;
  - c) with respect to representatives of the Parties, by the sending Party.
3. Individuals who enjoy privileges and immunities shall respect the legislation of the Parties without prejudice to their above mentioned privileges and immunities.

**Article 4**  
**Privileges and Immunities of the Secretariat**

1. The Secretariat, its property and assets, wherever located and by whomsoever held, shall be immune from any form of administrative actions or legal processes, except in so far as in any particular case the immunity has been expressly waived. In exceptional cases, the CICA Senior Officials Committee, upon the proposal of the Executive Director, shall take a decision on waiving the immunity. No waiver of immunity shall extend to the measure of execution.
2. The archives and other documents of the Secretariat shall be inviolable.
3. Without being restricted by financial controls, regulations or moratoria of any kind the Secretariat has the right, to hold funds and maintain accounts, to the extent necessary, for the exercise of operations corresponding to its objectives in the territories of the Parties, as agreed with the Party concerned.



4. The Secretariat, its assets, income and other property shall be exempt from all direct taxes, except the charges for certain types of services.

#### **Article 5**

#### **Privileges and Immunities of the Executive Director, Deputy Executive Director and Members of the Professional Personnel**

1. The Executive Director, Deputy Executive Director and Members of the professional personnel shall enjoy the following privileges and immunities:
  - a) Immunity from personal arrest or detention as well as immunity from legal processes in respect of words spoken and written and for all actions performed by them in their official capacity, except for:
    - i. lawsuits regarding the reimbursement of damage in connection with road accidents that were caused by a vehicle, belonging to the Secretariat or one of above mentioned persons or being driven by them;
    - ii. lawsuits regarding the reimbursement of damage in connection with the death or bodily injury, that were caused by the actions of above persons.
  - b) Exemption from immigration restrictions and obligatory aliens' registration on the territory of the Party, where they are temporarily residing, or in transit during the course of their official duties.
  - c) The same privileges in the sphere of currency operations as are accorded to diplomatic agents in the territory of the Party concerned.
  - d) The same repatriation facilities in time of international crises as diplomatic agents.
  - e) Provisions of sub-clauses (b) and (d) of clause 1 of the present Article shall also apply to the members of family.
2. A Party shall not be obliged to accord the privileges and immunities referred to in paragraph 1 of the present Article to:
  - a) its own nationals or permanent residents;
  - b) nationals of a Party with which it does not have diplomatic relations.

#### **Article 6**

#### **Privileges and Immunities of the Representatives of the Parties**

1. Representatives of the Parties shall, while exercising their functions, and during their journey to and from the place of the meeting, enjoy the following privileges and immunities:



- a) Immunity from the personal arrest or detention and in respect of words spoken or written and all acts done by them in the capacity of representatives, immunity from legal processes of every kind of the Parties in which the CICA meetings are being held.
  - b) Inviolability of all papers, documents and electronic data medium.
  - c) Exemption in respect of themselves and their accompanying spouses from immigration restrictions and aliens registration in the Parties they are visiting or through whose territory they are passing in the exercise of their functions.
  - d) The same facilities in respect of currency and exchange restrictions as are accorded to representatives of foreign governments on temporary official missions.
  - e) The same immunities and facilities in respect of their personal baggage as are accorded to diplomatic agents.
2. A Party shall not be obliged to accord the privileges and immunities referred to in paragraph 1 of present Article to:
- a) its own nationals or permanent residents;
  - b) nationals of a Party with which it does not have diplomatic relations.

**Article 7**  
**Visas**

1. The Parties shall render full assistance in issuance of visas for the Executive Director, Deputy Executive Director and Members of the professional personnel of the Secretariat and Representatives of the CICA Members to participate in CICA meetings.

2. A Party shall not be obliged to issue visas to nationals of a Party with which it does not have diplomatic relations.

**Article 8**  
**Affecting the Rights and Obligations under other International Treaties**

The present Convention shall not affect and shall not be interpreted as affecting the rights and obligations of the Parties arising from other international agreements to which they are parties.

**Article 9**  
**Final Provisions**

1. The present Convention shall be open for signature by the CICA Members.

2. The present Convention shall be subject to ratification, acceptance, and approval by the signatory states. The present Convention shall be open for accession by the CICA Members. The present Convention shall enter into force on the thirtieth day following the date of receiving by Depository of fourteenth instrument of ratification, acceptance, approval or accession. In regard to that CICA Member ratifying, accepting, approving or acceding to the present Convention after its entry into force the present Convention shall enter into force on the thirtieth day after the deposit of its instrument of ratification, acceptance, approval or accession.
3. The Secretariat shall serve as the Depository of the present Convention. The Depository shall notify the Parties about the date of entry into force of the present Convention, as well as about receiving instruments of ratification, acceptance, approval or accession from relevant Parties.
4. By mutual consent of the Parties, the present Convention may be amended by a Protocol. The Protocol shall enter into force as prescribed in paragraph 2 of this Article.
5. Any Party may at any time withdraw from the present Convention by forwarding a written notification to the Depository. The present Convention shall terminate with regard to that Party after the expiry of 6 months from the date of receipt by the Depository of such a notification.

Done at Istanbul on 8 June 2010, in a single original in the English language.



**Convention on the Privileges  
and Immunities of the Secretariat,  
its Personnel and Representatives  
of Members of the Conference on  
Interaction and Confidence  
Building Measures in Asia  
(Convention)**



**The Convention** is one of the key CICA documents, which grants immunities and privileges to the Secretariat, its personnel, and representatives of the Member States in the exercise of their functions.

The Convention was adopted and signed by the Heads of State/Government at the Third CICA Summit on **8 June 2010 in Istanbul**.



# Immunities of the Secretariat

The Convention grants the Secretariat the necessary legal capacity, as well as:

**Inviolability of the budget and property**, which are set and acquired from voluntary contributions made by Member States;

Without being restricted by financial controls, regulations or moratoria of any kind, **the ability to have accounts and funds** to carry out its activity in the territory of the Member States and upon agreement with the Member State concerned;

**Inviolability of documents and archives**, which allows the Secretariat to fully perform its functions as a clearing house for information among the Member States;

**Exemption from all direct taxes**, which allows to optimize the funds received from Member States.

# Immunities of the Executive Director, Deputy Executive Director and members of the professional personnel

The Convention grants the Executive Director, Deputy Executive Director, and members of the professional personnel the immunity necessary for the proper discharge of their functions:

- Immunity from personal arrest or detention, as well as immunity from legal processes in respect of all actions performed by them in their official capacity;
- The same privileges in respect of currency operations as are accorded to diplomatic agents in the territory of the State concerned;
- Exemption from immigration restrictions in the exercise of their functions;
- The same repatriation facilities in time of international crises as diplomatic agents.

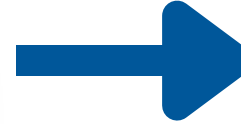
The State is **not** obliged to accord immunities to:

- Its own nationals or permanent residents;
- Nationals of a State with which it does not have diplomatic relations.



# Representatives of the Member States

A large number of CICA events are held each year, which have different themes and, therefore, require the participation of relevant experts from the Member States. The Convention grants the following immunities to representatives of the Member States in the exercise of their duties and for the purpose of participation in CICA events:



Immunity from personal arrest or detention, as well as immunity from legal processes;

Inviolability of all documents and electronic data medium;

Exemption in respect of themselves and their accompanying spouses from immigration restrictions;

The same facilities in respect of currency and exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;

The same immunities in respect of their personal baggage as are accorded to diplomatic agents.

**However, the State is not obliged to accord immunities to:**

- Its own nationals or permanent residents, and to
- Nationals of a Party with which it does not have diplomatic relations.

# Visas

The Convention ensures that all Member States facilitate the issuance of visas for the Executive Director, Deputy Executive Director, and members of the professional personnel of the Secretariat, as well as for representatives of the CICA Member States participating in CICA meetings.

However, a Party is not be obliged to issue visas to nationals of a Party with which it does not have diplomatic relations.



## THE EFFECT OF THE CONVENTION ON OTHER INTERNATIONAL TREATIES



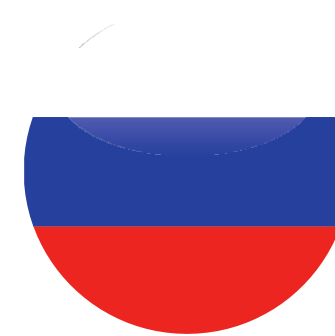
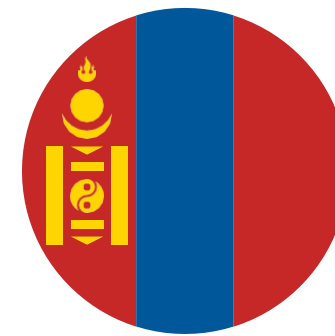
The Convention shall not affect and shall not be interpreted as affecting the rights and obligations of the States arising from other international treaties to which they are parties.



## ENTRY INTO FORCE OF THE CONVENTION

To date, the Convention has not entered into force due to an insufficient number of ratifying Member States (*the Convention shall enter into force on the thirtieth day following the date of receiving by the Depository of the fourteenth instrument of ratification, acceptance, approval or accession*).

To date, the Convention has been ratified by **7 Member States**:



## CONCLUSION

### Entry into force of the Convention will:

- Give significant impetus to the cooperation of the CICA Member States;
- Strengthen the Secretariat and its personnel, allowing it to operate more effectively for the benefit of all Member States;
- Facilitate the widest possible representation of the Member States in CICA events.

The Secretariat and the Chairmanship kindly request the Member States who have not done so **to ratify the Convention as soon as possible and submit the instrument of ratification to the Depository (CICA Secretariat).**