



TERMS OF REFERENCE FOR CONSULTATIVE GROUP OF ASEAN DEFENCE INDUSTRY COLLABORATION

Considering the need for the establishment of the Consultative Group, hereinafter referred to as the “CG”, as outlined in the Concept Paper on Establishing ASEAN Defence Industry Collaboration, hereinafter referred to as “ADIC” and taking the Concept Paper as reference to this Terms of Reference (TOR);

Realising mutual beneficial interests in a cooperation concerning the establishment and the development of the CG based on equal rights and common responsibility;

Recognising that the defence industry structures and governance arrangements within ASEAN Member States vary, such that some ASEAN Member States have defence industries solely under the control and ownership of their defence and other relevant ministries, others have defence industries comprising private companies that operate on commercial basis independent of the government;

Recognising that the chairmanship of ADIC shall be voluntary and participation in the ADIC initiative and the CG shall be flexible, non-binding and voluntary;

Desiring to promote cooperation and strengthen the friendly relations among ASEAN Member States in the field of defence industry collaboration; and

Noting that the representatives of the ASEAN Member States, hereinafter referred to as “Participating Member States” shall facilitate the following;

Article 1 –Composition of CG

- 1.1 Participating Member States shall nominate two (2) representatives to the CG.
- 1.2 The country that assumes ADIC chairmanship shall appoint the Chairperson of the CG from its own country for a term of one year.

- 1.3 The appointed Chairperson of the CG shall establish a Secretariat to assist his/her function with the support from his/her own country.
- 1.4 The CG shall formulate the functions of the Secretariat.

Article 2 – The Meeting of the CG

- 2.1 The CG meeting shall be chaired by the appointed Chairperson and be conducted minimum of once a year.
- 2.2 The chairing country shall host the meeting of CG.
- 2.3 The venue of the meeting shall follow the country of the ADIC chairmanship for the year.
- 2.4 All the activities and outcomes of ADIC shall be reported to ASEAN Defence Ministers' Meeting (ADMM) through the ASEAN Defence Senior Officials' Meeting (ADSOM) and ASEAN Defence Senior Officials' Meeting Working Group (ADSOM WG).
- 2.5 The CG shall be responsible for the preparation and presentation of the report.

Article 3 – Functions of the CG

- 3.1 The CG shall plan, coordinate, facilitate and monitor agreed projects under ADIC.
- 3.2 The CG shall develop a roadmap that may include strategies, action plan and implementation process.
- 3.3 The CG shall promote the cooperation between the defence industry companies, organisations and institutions of the Participating Member States in endeavours, such as:
 - 3.3.1 education and training in the defence industry sector;
 - 3.3.2 partnerships, joint ventures and co-production of agreed project;
 - 3.3.3 joint research and development of agreed project; and

3.3.4 joint promotion on project development.

on a voluntary basis in possible areas of cooperation, which shall not contravene limitations or obligations or governance arrangements that either Participating Member States or defence industry companies, organisations or institutions of the Participating Member States may have.

- 3.4 Any Participating Member State can propose project(s) under ADIC, subject to the review and approval of the CG and ADSOM through the ADSOM Working Group.
- 3.5 The proprietary rights of project(s) undertaken shall belong to the projects' proponents.
- 3.6 A project cooperation model shall be formulated as a guideline in undertaking any action/project.

Article 4 – The Security of Classified Information

- 4.1 If it is so determined by the CG, any information concerning the activities or projects under ADIC shall be classified.
- 4.2 Any Participating Member State that wishes to disseminate it to any third party must obtain the approval from the CG.

Article 5 – Management of the CG

- 5.1 The CG shall observe the provisions of the TOR to facilitate and encourage, as appropriate, direct contacts and cooperation between the governments, their departments and other official agencies. The procedure, manner and the terms of such contacts and cooperation of activities under ADIC shall be mutually agreed upon by the Participating Member States, but within and under the ambit and spirit of this TOR.
- 5.2 Unless otherwise provided for in a separate agreement, the respective Participating Member States shall bear their own costs in undertaking the

activities of the CG under this TOR, including the accommodation, travelling expenses and meals.

- 5.3 The necessary administrative and logistics arrangements, including meeting venue, meals, secretariat support, to host the CG meeting (s) shall be borne by the respective Chairman's side for the year of the chairmanship.
- 5.4 English language shall be the medium of communication for the activities under the CG.

Article 6 –Validity and Review of this Term of Reference

- 6.1 This TOR shall come into effect upon the adoption by the ADSOM.
- 6.2 This TOR shall be construed as a guiding document in undertaking activities under ADIC.
