

## REGULATION

### On Admission of New Members to Shanghai Cooperation Organization

Pursuant to Article 13 of the SCO Charter of June 7, 2002 (hereinafter referred to as the Charter), this Regulation on Admission of New Members to the Shanghai Cooperation Organization (hereinafter referred to as the SCO or the Organization) shall define the criteria, terms and procedure for an interested state to join the SCO.

#### 1. General Provisions

1.1. The Organization shall be open for joining by other interested countries in the region as members, provided they agree to abide by the purposes and principles of its Charter and by the international treaties and instruments adopted within the SCO.

1.2. A state that wishes to join the Shanghai Cooperation Organization (hereinafter referred to as the applicant state) should meet the following criteria and conditions, i.e. it should:

- Belong to the Euro-Asian region;
- have diplomatic relations with all SCO member states;
- have status of the SCO observer or dialogue partner;
- maintain active trade, economic and humanitarian relations with the SCO member states;
- its international commitments in the field of security should not be contrary to the relevant international treaties and other instruments adopted within the SCO;
- have no armed conflict with another state or states;
- meet, in good faith, its obligations under the United Nations Charter and comply with the generally recognized norms and principles of international law;
- should have no sanctions imposed on it by the United Nations Security Council.

#### 2. Admission Procedure

2.1. The applicant state shall forward to the current Chairman of the Council of Heads of SCO member states (hereinafter referred to as the CHS) an official request for joining the Organization signed by the head of state. The request shall be forwarded through the Chairman of the Council of Ministers of Foreign Affairs of the SCO member states (hereinafter referred to as the CMFA).

The CMFA's Chairman shall notify the ministers of foreign affairs of the SCO member states of the receipt of the request. Once agreed with the ministers of foreign affairs, the matter shall be referred to the Council of National Coordinators of the SCO member states (hereinafter referred to as the CNC) and the SCO Secretariat (hereinafter referred to as the Secretariat). The CNC, assisted by the Secretariat, shall prepare an opinion, *inter alia*, regarding the compliance of the applicant state with the membership criteria, and, in accordance with the established procedure, submit it to the Council of Ministers of Foreign Affairs.

When considering the request for membership in the Organization, the CMFA meeting may invite the minister of foreign affairs of the applicant state.

2.2. Commencement of the admission procedure shall be decided by the SCO CHS based on the move by the CMFA.

The CHS's Chairman shall notify the applicant state of the decision taken.

2.3. The decision shall serve as the basis for the elaboration of the Memorandum of Commitments of the applicant state taken in order to obtain the SCO member state status (hereinafter referred to as the Memorandum). The CNC, assisted by the Secretariat and jointly with the applicant state, shall draft the Memorandum, which records:

- commitments by the applicant state to comply with the purposes and principles of the Charter and the international treaties and instruments adopted within the SCO;
- commitments by the applicant state to accede to international treaties in force within the SCO, as well as the list of such treaties, sequence and timing of accession thereto;
- organizational and financial aspects of the applicant state's membership, including its share in the Organization's budget and personnel quotas in the SCO permanent bodies.

The Memorandum shall be signed by the minister of foreign affairs of the applicant state (or other authorized representative) and the SCO Secretary-General on behalf of the CHS.

2.4. From the date the Memorandum is signed by the applicant state and the Organization, the applicant state shall have the right to:

- attend, without the right to participate in decision-making, the meetings of the expanded CHS, Council of Heads of Government (Prime Ministers) of the SCO member states, meetings of heads of ministries/agencies of the SCO member states, as well as meeting of expert and working groups and consultations on various issues;
- attend, without the right to participate in decision-making, public meetings' discussions of the agenda items by the Council of SCO Regional Antiterrorist Structure (hereinafter referred to as the RATS) and its expert groups; and other public events arranged by the RATS;
- access documents and decisions of the SCO bodies referred to in Article 4 of the Charter, unless their distribution is restricted by relevant SCO bodies.

2.5. The applicant state shall formally notify the SCO Secretary-General of the full implementation of its obligations under the Memorandum. The SCO Secretariat shall notify the SCO member states and prepare the relevant draft opinion to be reviewed by the CNC and submitted for approval by the CMFA.

The decision on the completion of the procedure for the admission to the SCO and granting the status of the member state of the Organization shall be taken by the CHS based on the move by the CMFA.

2.6. Should the applicant state fail to meet its obligations under the Memorandum, the CHS, upon the CMFA recommendation, may decide to suspend or discontinue the procedure for the admission to the SCO membership.

### **3. Final Provisions**

This Regulation shall enter into effect from the date of its approval by the CHS.

This Regulation may be amended and/or supplemented by the decision of the CHS. The respective decision shall enter into effect on the date of its approval.