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## **The Statute of the East Asia Science and Innovation Area Joint Research Program**

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### **Article 1. Purpose of the Statute**

The purpose of the Statute is to define the mission and structure of the East Asia Science and Innovation Area Joint Research Program (hereinafter referred to as the “Program”).

### **Article 2. Objectives of the Program**

- (1) The Program aims to promote the science and technology community in East Asia, to make effective use of the abundant human resources in the region and to generate “novel knowledge”, “competitive technologies” and “systems reforms” which are the source of economic and social dynamism. Fundamentally, the Program seeks innovation in the East Asian region.
- (2) The Program pursues synergistic, supplemental and leveraged effects which cannot be achieved by any single nation, but only by multilateral cooperation and combination of the high potentials in the region.
- (3) The Program seeks genuine partnerships for mutual contribution and equitable allotment of outcomes.
- (4) Decisions regarding the Program will be made rationally and objectively, supported by fact and guided by scientific experience.

### **Article 3. Commencement of the Program**

The Program, as well as this Statute, commences on the day when it is approved by the

Board of the Program at the 1<sup>st</sup> Annual Board Meeting, and thereafter may be extended on terms and conditions to be discussed and agreed.

#### **Article 4. Membership of the Program**

- (1) Participating organizations of the Program are hereinafter collectively referred to as “Member Organizations” and singularly as a “Member Organization”. Multiple Member Organizations from the same country may join the Program.
- (2) Those eligible for membership of the Program are ministries, agencies and other public/governmental bodies which provide research funds in East Asia Summit (EAS) participating countries, namely: Brunei Darussalam, Kingdom of Cambodia, Malaysia, Republic of Indonesia, Lao People’s Democratic Republic, Republic of Singapore, Republic of the Philippines, Republic of the Union of Myanmar, Kingdom of Thailand, Socialist Republic of Vietnam, Australia, Japan, New Zealand, People’s Republic of China, Republic of India, Republic of Korea, Russian Federation, and the United States of America. However, the words “public” or “governmental” may be interpreted flexibly as long as candidate institutions have a competitive funding mechanism.
- (3) The current Member Organizations are as follows, as of December 2019:
  - The National Health and Medical Research Council (NHMRC), Australia
  - The Ministry of Health (MOH), Cambodia
  - The Ministry of Industry, Science, Technology and Innovation (MISTI), Cambodia
  - The Ministry of Research and Technology (RISTEK), Indonesia
  - The Ministry of Education, Culture, Sports, Science and Technology (MEXT), Japan<sup>\*1</sup>
  - The Japan Agency for Medical Research and Development (AMED)
  - The Ministry of Health (MOH), Lao PDR
  - The Ministry of Science and Technology (MOST), Lao PDR
  - The Ministry of Science, Technology and Innovation (MOSTI), Malaysia
  - The Ministry of Education (MOE), Myanmar
  - The Health Research Council (HRC), New Zealand
  - The Department of Science and Technology (DOST), the Philippines
  - The Russian Foundation for Basic Research (RFBR), Russia
  - The Agency for Science, Technology and Research (A\*STAR), Singapore
  - The National Science and Technology Development Agency (NSTDA), Thailand
  - The Agricultural Research Development Agency (ARDA), Thailand
  - Thailand Center of Excellence for Life Sciences (TCELS), Thailand
  - The Thailand Science Research and Innovation (TSRI), Thailand
  - The National Research Council of Thailand (NRCT), Thailand
  - The National Institute of Allergy and Infectious Diseases (NIAID), U.S.A.
  - The National Cancer Institute (NCI), U.S.A.

- The Ministry of Science and Technology (MOST), Vietnam

\*<sup>1</sup>Japan Science and Technology Agency (JST) as the delegated administrative authority of MEXT.

- (4) New membership may be acquired by submitting a letter of intent (hereinafter referred to as a "LoI") for participation in the Program to the Program Secretariat. The Board will then consider approval of the new membership after deliberation on the degree of contribution the prospective member organization is able to make to the Program. The LoI must refer to this Statute, which describes essential elements of the Program. Prospective Member Organizations should refer to the “Guidelines for the Participation of New Member Organizations in the e-ASIA Joint Research Program”.
- (5) Member Organizations may withdraw their membership by submitting to the Programs Secretariat a written declaration of intent for withdrawal from the Program to the Board at least 6 months prior to the desired date of actual secession.
- (6) “Quasi Member Organizations” are those parties for whom the internal governmental procedures to officially express their intention to join the Program require more time. Quasi Member Organizations are granted the same opportunities and functions as those granted to Member Organizations, but they may not participate in the decision making processes of the Board.
- (7) “Guest Partners” are organizations other than Member Organizations or Quasi Member Organizations that are, with the consent of the Board, involved in the Program on a call by call basis. Guest Partners are eligible organizations from within and outside of the EAS participating countries that operate under common agendas. Guest Partners are not represented on the Board, but may observe the Board Meetings with approval of the Board. They may only participate in a call for proposals when at least three Member Organizations also are participating. Guest Partner status may be acquired by submitting a LoI to be a Guest Partner in the Program to the Program Secretariat. The Board will then consider approval to be a Guest Partner after deliberating the degree of contribution the prospective Guest Partner organization is able to make to the Program.
- (8) “Observers” are organizations other than Member Organizations, Quasi Member Organizations or Guest Partners, who may, with the consent of the Board, collect

information on the Program, and/or attend the Discussion Session of the Annual Board Meeting (see Article 6.1).

## **Article 5. Organs of the Program**

Organs of the Program are as follows:

### (1) Board

(i) The Board is the highest decision-making body responsible for the management of the Program. It shall be composed of one appointed representative (hereinafter referred to as a "Board Member") per Member Organization. Multiple Member Organizations from one single country have only one voting right. If there are multiple Member Organizations from one country, those Member Organizations will decide among themselves which of the Board Member hold the voting right.

(ii) The position as Chair of the Board, with a term of one year, will be rotated among the countries according to the order shown in Article 4 (3), changing on the occasion of each Annual Board Meeting. The Chair's role is to preside over the meeting and to lead the discussion to a conclusion.

(iii) The Chair also has the right to vote. In principle, the Board Member of the hosting country shall be the Chair of the Board. However, the hosting country may appoint another person as the Chair. In this case, the hosting country still has only one voting right and not two.

### (2) Scientific Advisory Council

The Scientific Advisory Council consists of senior researchers recommended by the Member Organizations of each country, and gives recommendations and advice to the Board on principal science and technology issues regarding the activities of the Program. The recommendations and advice of the Scientific Advisory Council will be considered by the Board. Details are given in the "Terms of Reference of the Scientific Advisory Council".

### (3) Program Secretariat

The Program Secretariat consists of the Secretary-General and other staff members, each of whom is sent from contributing Member Organizations on a voluntary basis. The term for the Secretary-General and other staff members is three years. However, the term may be subsequently extended thereafter annually, unless otherwise

advised by the Board. The Program Secretariat supports the overall operation of the Program and handles communication among Member Organizations regarding the Program.

## **Article 6. Board Meeting**

### **(1) Board Meetings:**

The Annual Board Meeting will be convened at least once a year for the Board Members to meet face-to-face to approve Program-related issues. Board Meetings other than the Annual Board Meetings are referred to as Ad Hoc Board Meetings. Ad Hoc Board Meetings will be convened whenever three or more Board Members so request or when it is deemed necessary by the Program Secretariat. Board Meetings may be conducted by teleconference or exchange of e-mail if necessary. Final decisions usually will be made at Annual Board Meetings although decisions can also be made at Ad Hoc Board Meetings. (see Article. 6 (3)).

The Annual Board Meeting is composed of a Discussion Session and a Voting Session. The Discussion Session shall be convened prior to the Voting Session. Issues that Member Organizations intend to discuss at the Discussion Session shall be submitted to the Program Secretariat in advance of the meeting.

During the Discussion Session, all the Board Members will discuss Program-related issues raised by Member Organizations, or the Program Secretariat. Final decisions will be made on each item on the agenda in the Voting Session based on the discussion at the Discussion Session.

The Board or the Program Secretariat shall take prompt action, such as collecting information, on the issues that have been discussed at the Discussion Session but require further discussion or consideration (i.e. items that have yet to be decided).

### **(2) Conditions for convening Board Meetings and Delegation of Power:**

The Annual Board Meeting requires the attendance of more than half of the Board Members who have voting right. Board Members must give written notification of their intention to physically attend or not attend the meeting (by e-mail, fax, etc.) at least two weeks in advance.

When a Board Member is unable to physically attend a Board Meeting, there are

alternative ways of representation or voting in a Board decision, as follows:

Alternative 1: to delegate his/her right to vote to a proxy from the Member Organization he/she represents;

Alternative 2: to express his/her consent or dissent to the Board's decision in writing (by e-mail, fax, etc.) to the Board in advance of the Board Meeting;

Alternative 3: to participate in the Board's decision making by other means agreed upon by the Board Members.

(3) Authorities of the Board:

The authorities of the Board, in addition to those specified elsewhere, consist of the following:

- (i) To approve and revise, as appropriate, policies, procedures, and by-laws, as specified in Article 11, of the Program;
- (ii) To approve and revise the framework of the Program, including:
  - (a) Mechanisms for managing the Program such as formation of organs or operation procedures
  - (b) Fields of collaboration,
  - (c) Guidelines for research agreement among cooperating institutions, as well as treatment of Intellectual Property Rights (IPR) and Material Transfer Agreement (MTA) (refer to the Appendix: Program-Related Documents);
  - (d) Process of application review (refer to the Appendix: Program-Related Documents)
- (iii) To approve:
  - (a) Projects to receive funding,
  - (b) The Program activity plan,
  - (c) The annual report on the progress of the Program;
- (iv) To approve changes to the Membership of the Program, including accession and secession, and invitation of Guest Partners and Observers;
- (v) To deliberate and decide on other matters as requested by Member Organizations and to approve activities necessary to achieve the objectives of the Program.

Decisions are made on a consensus basis among the attending Board Members who have voting rights at Annual and Ad Hoc Board Meetings. However, when voting is needed, decisions regarding items (iii), (iv) or (v) are made by a two-thirds majority vote. The attending Board Members at Annual Board Meetings are defined as the Board Members attending the Annual Board Meeting physically or represented through alternative ways described in Article 6(2). The decisions of the Board will be reflected

in the operation of the Program in such ways as designated by the Board.

Member Organizations acknowledge the responsibilities of the Board and agree to accept its decisions.

### **Article 7. Fields and Areas of Collaboration**

- (1) Fields of collaboration comprise areas of research which will provide mutual benefits to cooperating Member Organizations, which form the basis for economic and social development in the East Asian region, and which promise to provide solutions to common challenges within the region.
- (2) The Program will focus on pre-competitive research fields which promise to contribute to economic competitiveness at a later stage.
- (3) Specific collaborative research areas, within the fields of collaboration specified by the Board (see Article 6(3) (ii) (b)), that are to be targeted in each respective Call, will be determined by the three or more Member Organizations participating in the Call.
- (4) Specific areas for research collaboration and other related information such as schedules and participants of the Calls should be reported to the Board.

### **Article 8. Financial Resources for the Program Secretariat**

To enable the functions of the Program Secretariat, voluntary contributions are desired from Member Organizations in support of various expenses, including personnel costs, rental of office premises, office operation costs, and travel and accommodation.

### **Article 9. Amendment of the Statute**

Any differences of opinion or disputes concerning the interpretation or amendment of this Statute shall be settled mutually by a Board decision on a consensus basis.

### **Article 10. Termination of the Program**

- (1) The Program may be terminated at any time by a resolution adopted by the Board on a consensus basis.
- (2) The termination of the Program shall not affect any collaborative projects or activities initiated under the Program Statute that are the subject of their own binding agreement.

### **Article 11. By-Laws**

By-laws may be created or amended, as necessary, subject to a Board decision. If newly created or amended by-laws have to be urgently applied for any reason, prior to the approval of the Board, they may be provisionally put into effect until the next meeting of the Board, with the approval of Member Organizations by e-mail, fax or other means.

### **Article 12. Urgent Matters**

Notwithstanding the provisions set out in this Statute, urgent matters regarding the Program can be discussed by e-mail, fax or other means among Member Organizations whenever so requested by a Member Organization (or Member Organizations).

List of Program-Related Documents:

1. Program Statute
2. Sample Letter of Intent
3. Terms of Reference of the Scientific Advisory Council
4. Material Transfer Guidelines
5. Joint Application Agreement (template)
6. Collaborative Research Agreement including IP provision (template)
7. Guidelines for the Participation of New Member Organizations
8. Progress Report Format
9. Final Report Format
10. Application Review Process

Approval Date

This Statute was originally approved on June 28, 2012

Revised on March 17, 2017 by 15<sup>th</sup> ad hoc Board Meeting via e-mail

Revised on June 23, 2017 by 6<sup>th</sup> Annual Board Meeting

Revised on November 17, 2017 by 20<sup>th</sup> ad hoc Board Meeting via e-mail

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