



**ROLE OF SOUTH ASIAN ASSOCIATION FOR  
REGIONAL COOPERATION (SAARC) IN  
MANAGING THE INTERSTATE  
RELATIONS IN SOUTH ASIA**

**BY**

**MS. BIBHUTI KIRAN GHIMIRE**

**A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE  
REQUIREMENTS FOR THE DEGREE OF POLITICAL SCIENCE  
IN INTERNATIONAL RELATIONS  
FACULTY OF POLITICAL SCIENCE  
THAMMASAT UNIVERSITY  
ACADEMIC YEAR 2019**

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ENTITLED

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IN SOUTH ASIA

was approved as partial fulfillment of the requirements for  
the degree of Master of Political Science in International Relations

on ...January 10, 2020.....

Chairman



(Prof. Jaran Maluleem, Ph.D.)

Member and Advisor



(Asst. Prof. Sunida Aroonpipat, Ph.D.)

Member



(Anas Amatayakul, Ph.D.)

Dean



(Asst. Prof. Tavid Kamolvej, Ph.D.)

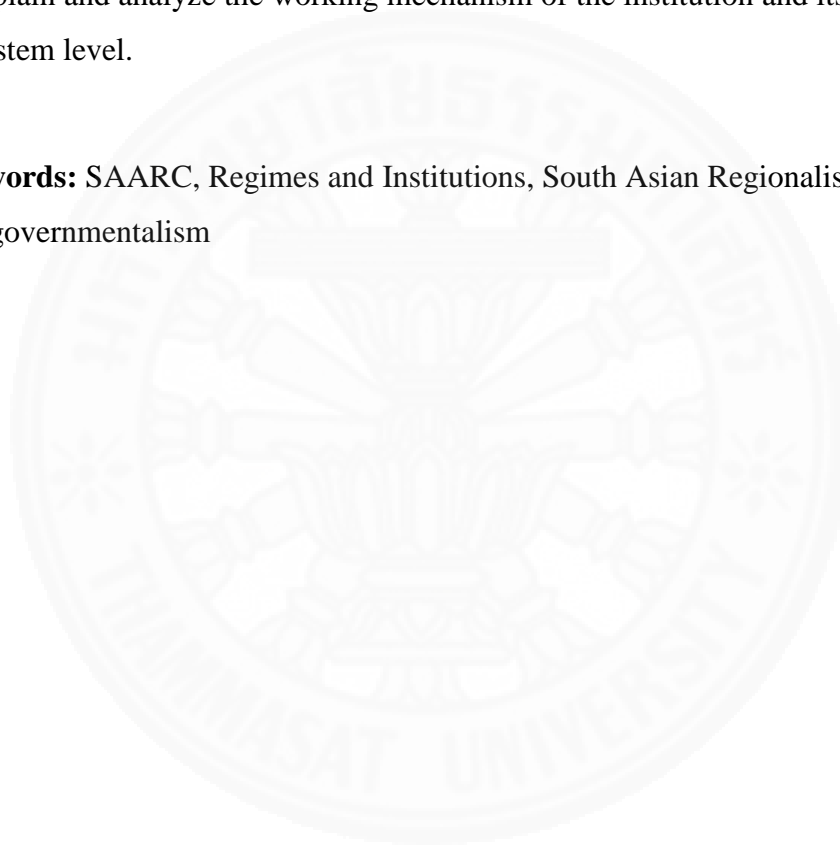
Thesis Title	ROLE OF SOUTH ASIAN ASSOCIATION FOR REGIONAL COOPERATION (SAARC) IN MANAGING THE INTERSTATE RELATIONS IN SOUTH ASIA
Author	Ms. Bibhuti Kiran Ghimire
Degree	Master of Political Science
Major Field/Faculty/University	International Relations Faculty of Political Science Thammasat University
Thesis Advisor	Asst. Prof. Sunida Aroonpipat, Ph.D.
Academic Years	2019

## **ABSTRACT**

South Asian Association for Regional Cooperation, also known as SAARC, is the only regional organization in South Asia that incorporates all eight countries as its members. As a regional institution, the evolution of SAARC is sometimes compared to the European Union (EU) and/or Association of Southeast Asian Nations (ASEAN). With this, the role of SAARC sounds very important to South Asia, yet it is highly criticized for its success stories and its role in the region. Moreover, the cancellation of the 19<sup>th</sup> SAARC Summit further criticized its existence in the region. The reason: the summit was boycotted by its 6 members (out of 8) claiming the violation of the principles of SAARC and strong abidance to their national priority and security. However, this is not the first time the SAARC summit was canceled. With reasons given as national security and national priority the most, the fault has been emphasized mostly on the historical tensions and conflicts that still lurk in the region. But what has been overlooked is the realization and importance of the capacity being placed within SAARC and the strength of the institution determined by its principles and the Charter. With the potential yet to be harvested, there has been very limited reviews about the lack of institutional capacity of the institution itself, the fault being in the regime of the institution, rather than pointing to its capability. As the negotiations in SAARC also reflect the different characteristics of the countries, it becomes important to analyze the

capacity of the institution to guide it through challenges and tackle them by identifying the opportunities. Concerning this, the study assumes that the strength of the institution lies in its components; its regime that is comprised of its structure, its principles and the rules and norms based on the very principle- all enshrined in the SAARC Charter. It is important to analyze this before determining the success of the institution. SAARC being an inter-governmental institution, the study takes a modern-day outlook along with the theoretical knowledge from Intergovernmentalism and its modified approaches to explain and analyze the working mechanism of the institution and its ambiguities at its system level.

**Keywords:** SAARC, Regimes and Institutions, South Asian Regionalism, Intergovernmentalism



## ACKNOWLEDGEMENTS

Firstly, I would like to express my sincere gratitude to Professor Dr. Sunida Aroonpipat who has been a wonderful advisor with her valuable guidance, encouragement and support throughout my thesis work.

A deep gratitude to my thesis committee members Professor Dr. Jaran Maluleem and Dr. Anas Amatayakul for their invaluable feedback and support that has motivated and encouraged me to do better in my research.

I would like to thank the Secretariat of South Asian Association for Regional Cooperation (SAARC) in Kathmandu for providing me with valuable first hand information, SAARC library for the information materials including SAARC declarations and other books to deepen my understanding about the institution.

I am deeply indebted to Thammasat University for providing me with scholarship to pursue my masters degree in Political Science in Thammasat University.

Special thanks to Ms. Kanchana Kamhun for her continuous support and determination throughout the program and without whom the completion of my masters would not be possible. Also, a very special thanks to Anthony Pham for his valuable time, feedback and suggestions in the writing styles and grammatical errors.

Finally, I would like to thank my parents and my sibling and my friends at Thammasat for their support, encouragement and motivation throughout my research period. Without their support and love this thesis would not have been completed.

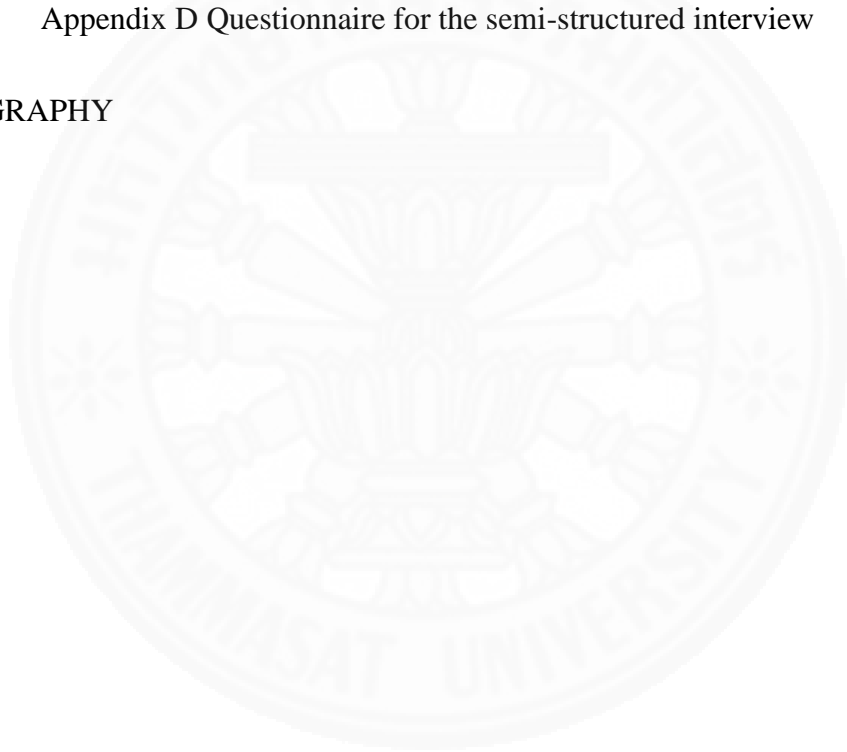
Bibhuti Kiran Ghimire

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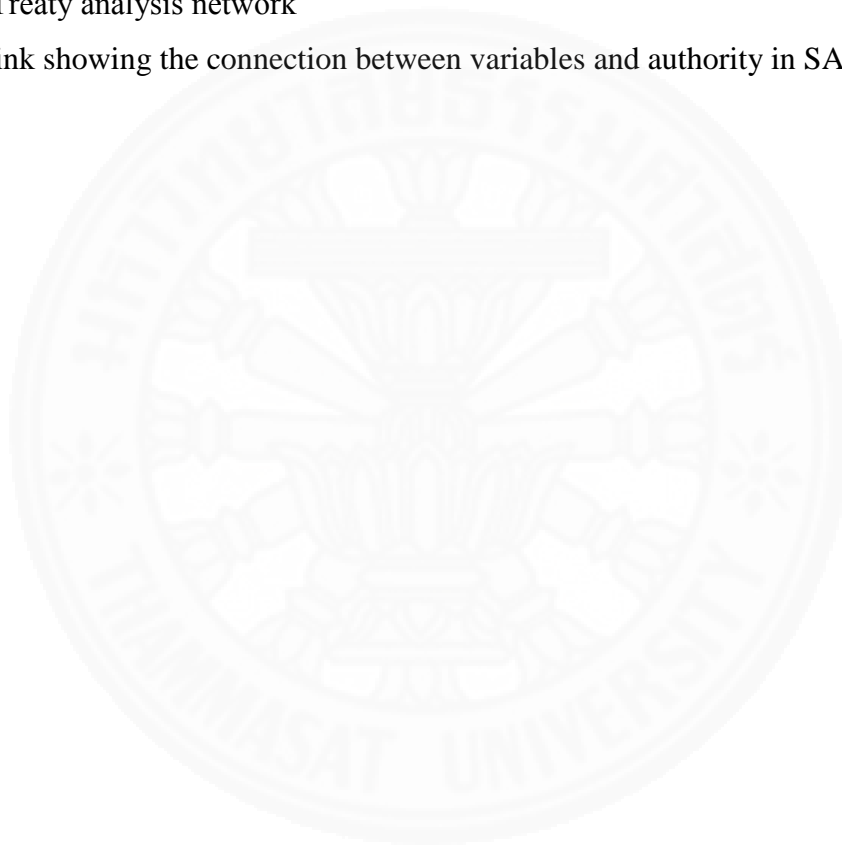
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## LIST OF ABBREVIATIONS

<b>Symbols/Abbreviations</b>	<b>Terms</b>
ASEAN	Association of Southeast Asian Nations
AU	African Union
BBIN	Bangladesh-Bhutan-India-Nepal
BIMSTEC	Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation
CIS	Commonwealth of Individual States
CFSP	Common Foreign & Security Policy
CoM	Council of Ministers
ECOWAS	Economic Community of West African States
EU	European Union
J&K	Jammu & Kashmir
LAS	League of Arab States
LDC	Least Developing Country
NAFTA	North Atlantic Free Trade Agreement
NAM	Non-Aligned movement
OAS	Organization of American States
RO	Regional Organization
SAARC	South Asian Association for Regional Cooperation
SAFTA	South Asian Free Trade Agreement
SAU	South Asian University
SDG	Sustainable Development Goals
SFFA	SAARC Framework for Action
UN	United Nations

# CHAPTER 1

## INTRODUCTION

### 1.1 Background

The importance of a regional institution mostly came along with the establishment of the European Union (EU) and was reflected as an example of a strong institution. The European region has clearly presented an important interlinkage between an institution that has helped the countries to let go off their past and transcend towards peace and prosperity, and the intra-regional relations between the member states. However, with time many questions have been raised reflecting the role of a regional institution; Should the role then exceed to holding a supranational authority while making decisions or can it be limited to just being an instrument of the member states to cooperate and meet their common interest area? Additionally, the regionalism phenomena in Asia has challenged the perception of regional institution holding a higher decision-making authority than states. In South Asia, one such regional institution known as South Asian Association for Regional cooperation (SAARC) has brought about debates relating to regional theories. The establishment of this institution has raised questions to not only the theories of regionalism but also has intrigued scholars into reinstating the importance of a “regional institution” in the region.

As an aftermath of the Second World War, the United Nations (UN), established as a strong organization, held the responsibility to stall any upcoming chances of conflict or up-scaling chaos in the world. As one of its actions, it further passed down these responsibilities to the regional and sub-regional organizations through Chapter VIII as in the UN Charter. Meanwhile, the Security Council has also stated that “the regional agency/organization itself shall not take any action without the authorization of the Security Council, with the exception of measures against any enemy state” (United Nations, 1945). This helps determine the role of regional institution in fostering cooperation and development. In support of the UN Charter and the importance of regional institutions, a 1992 report “*An Agenda for Peace* by UN Secretary General Boutros-Ghali” emphasized regional organizations as a catalyst

providing “deeper sense of participation, consensus and democratization in the international affairs” (United Nations, 2007).

Countries with similar culture, and social, economic and most importantly, geographical features started grouping together with an idea of forming regional organizations (ROs). The formation of alliances started proliferating since 1945 with the League of Arab States (1945), Organization of American states (1948), the EU (1950s), each with motifs ranging from economic prosperity, common identity, maintaining and/or enhancing the politico-security scenario in each region. These institutions had the capability to shape the inter-state relations amongst the members mostly, based on the norms, values, and structures they work on, reflecting their strength that can make up the region or break it up. Despite this popularity, the importance of nation-states was still held high as they represented the highest authority in the institutions.

In the midst of the debate between the power of the institution and/or the states, SAARC emerged incorporating 8 countries as its members in South Asia. Covering a total area of 3% in the world, it was established with a hope to bring the nation states closer beyond its historical issues, and move towards prosperity. It started up with 7 members (Bangladesh, Bhutan, India, Nepal, Pakistan, Maldives and Sri Lanka) initially when the idea of forming a regional alliance was proposed by the then President Zia-ur Rahman of Bangladesh. An eighth member (Afghanistan) was added after twenty-one years expanding its horizon to all of South Asia. Prior to its establishment in 1985, the idea of forming a regional alliance was brought and discussed early in years 1947, 1950 and 1954 through 3 conferences; the Asian relations Conference in New Delhi, the Baguio conference in Philippines and Colombo Powers Conference in Sri Lanka, respectively (Iqbal, 2006). The delay occurred due to the environment of doubt and mistrust between the countries. Each country built its doubt on the other which made them hesitant to sign in the charter. Crippled with fear and historical conflicts with one another, it felt more than necessary after the invasion of Soviet Union-USSR in Afghanistan in 1979 that the cooperation was looked as a step needed for security concerns.

The status of the member countries is bounded by their colonial history and are strongly enclosed geographically. Most of the members share the boundary with

India and share similar history in the region. Meanwhile, the largest in the region, India covers 2/3<sup>rd</sup> portion of South Asia and is strong politically as well as economically. Despite this, the hegemon-like country does not represent a unipolar situation amongst SAARC countries. The power dynamics here is balanced by the second largest country in the region with whom India shares a very strong history, i.e. Pakistan. The competition or the frequent confrontation between these two largest nuclear powers in the region has been considered as one of the main challenges in harmonizing the intra-regional relations within the region. In this scenario, what makes SAARC important is that it is the only regional organization which binds all the South Asian countries together as its members.

The importance of the organization gets even more highlighted as the region has been ranked as the “world’s fastest growing economic region in 2016” rated with 7.0% of growth in 2019 and predicted to be 7.1% in 2020 (World Bank, n.d.). However, this rate of growth also represents the trade imbalance with increasing imports than exports. Based on an article in 2016 published by ‘the Asia Foundation,’ less than 5% of South Asia’s trade occurs within the region. Comparatively, the lowest amongst all the regional institutions in the world; in Southeast Asia, Europe, and continental Africa, where the intra-regional trade ranges as about 30%, 60% and 12% respectively (Prasai, 2016). This already dictates the region’s loss and shows the hindrances to its growth rate.

As a whole, many scholars have criticized SAARC to be a failure or to be insignificant. Despite the geographical proximity, each of the members have their own kind of political and economic system. Many scholars and researches have emphasized this heterogeneity and the relation amongst the members as a result of their past. There have been studies highlighting the intense political issues like territorial issues, maritime skirmishes, war on Terror and nuclear proliferation issues between countries, especially the two giants in South Asia itself (India and Pakistan). Amidst all conflicts, the geopolitical conflicts have mostly raised security concerns in the region allowing the member nations to put their national priority first over others. Additionally, with the recent 19th Summit of SAARC being cancelled, SAARC remains in a state of limbo. The summit was boycotted by India and supported by Afghanistan, Bangladesh and Bhutan all accusing Pakistan’s involvement in raid activities in Uri, Kashmir. This

reflects on the importance of inter-state relations, while the role of the regional institution remains uncertain in this. The political power influenced by the geographical space or element on relations in the region can also be analyzed as it has conversely developed a sense of insecurity amongst the member states and has hence paralyzed the institutional mechanisms if it is to re-address the problem regionally (Boone & Safi, 2016). Sridharan in his book adds the importance of SAARC summit, which now is turned into a hurdle and a victim of member states' "political whimsicalities" rather than an "engine propelling the SAARC process." In addition to this, he further emphasizes on the reforms in the structure of international organizations with regards to the institutional strength (Sridharan, 2007).

Many reviews focus on the hostile relations behind the stagnant or slow development of SAARC rather than looking inside the institution, its working mechanisms and regimes. There are only a few researches that has highlighted the lack of institutional capacity of the institution, in brief, and its inability to manage the relations amongst the member nations. The historical relations of the South Asian countries have often been taken into account to study the capability of the institution, rather than the institutions ability, itself that is defined by its norms and rules as mentioned in the Charter. The working mechanism of the SAARC is based on the Charter that reflects on the objectives of building regional peace and cooperation through social and economic progress or growth, cultural development. The charter emphasizes on maintaining or improving the interstate relations through building up on trust issues through collaboration and mutual assistance in agreed areas (economic, social, technical and scientific) (SAARC, n.d.). These objectives and actions by the SAARC are based upon Non-Alignment and the United Nations Charter of territorial independence, sovereign equality, non-interference and non-use of force. 5 major common areas of cooperation were chosen: *Agriculture, Rural development, telecommunication, meteorology, health and population activities* (NTI, 2011), leaving the areas of controversy and bilateral issues.

Adjoining this to the theory of International Relations, most scholars have claimed SAARC to be an intergovernmental organization. Thus, the study attempts to explain the regionalism in South Asia through the lens of Intergovernmentalism. It interlinks the capability or capacity of SAARC as an institution to manage the intra-

regional relations amongst the member states, depending on its Charter and the working mechanism. It further takes into account the modified approaches of Intergovernmentalism explaining the processes within the institution to understand the deeper analysis of the theory. The concept of confederalism and ‘locked in’ are delved into with an attempt to explain the existence of SAARC despite what many have called it – a ‘failure.’ This study adds up to the literature dealing with South Asia and SAARC seen through a new lens of Intergovernmentalism and cooperation in the field of IR.

The study wrestles with questions pertinent to the importance of regional institutions in the field of international relations. General questions like “What role do regional institutions play in managing relations amongst the member states? How was it formed and what effect does it bear in the region?” are dealt in the study, while narrowing down to the interconnection between the capacity of the only regional institution in South Asia (SAARC) and the ‘members-relations’ within.

## **1.2 Research questions and objectives**

### **1.2.1 Research question**

What role does SAARC, as an institution, have in managing the intra-regional relations within its member countries? Has it contributed in boosting or degrading the regional integration and cooperation among the member states? If so how?

- a. Whether the norms and principles enshrined in the SAARC Charter hinder or binds the member countries in the region?

The above question seeks the answer whether the institution has maintained the relations or is its role limited to only providing a platform of negotiation.

### **1.2.2 Research objectives**

- To identify the regimes in SAARC; decision making process, rules, norms and principles used as a mechanism to foster regional cooperation

- To critically analyze the role and importance of Charter and Summit meetings, being the highest authority holder in SAARC.<sup>1</sup>
- To analyze the shortcomings within the institution through its nature in terms of facilitating regional cooperation.

### 1.3 Methodology

There are two ways to look at the research question posed by the study. First, we analyze how has SAARC in the region facilitated the relations among the states in South Asia? Has the institution maintained the relations or is its role limited to only providing a platform of negotiation? If so, how? Secondly, analyzing it the other way around; do the member states have an upper hand in this? Is it time for SAARC to evolve into a stronger one or the current features of the institutions is enough for the region to develop? These would require the knowledge of the 34 years (1985-2019) of working mechanism in SAARC based on its principles (enlisted in the Charter) and the decision-making process (i.e. its internal decision-making structure).

The research takes in information from various primary and secondary sources, using qualitative methodology. The researcher will gain an in-depth analysis of the existing literature about the structure, processes and all in all, the organization's Charter. In addition, knowledge about the intra-regional relations among the member nations in South Asia is gained. Likewise, the study would also track the record of changes or progress in SAARC and events and situations that made those changes. In this context, the factors that led to the emergence of SAARC remains important. The information would be collected from books in the library, e-books and e-thesis that can be retrieved from an online source, newspaper articles, and online reports of the organization. While, the primary source of the information will take in the organization reports, summit reports and data that can be accessed from SAARC. Other sources may include semi-structured interviews professionals working in the organization.

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<sup>1</sup> Note that these two bodies are the guidelines provided by the Heads of the States to govern or oversee the overall activities, projects and programmes in South Asia covered by SAARC.

The collected data then would be analyzed using the theory of Intergovernmentalism based on the concept as stated above and touch upon a few of its modified aspects to explain the phenomenon and to analyze the relation between the institution and the existing relation among the member nations. Due to the lack of information regarding the application of theories, the analysis might take into context some of the cases in the EU explained by the theories in order to associate the theory with the evolution and activities of SAARC. (The research takes into account only the past events or situations.)

#### **1.4 Hypothesis**

Due to its working mechanism and the principles, norms and regulations, SAARC is bounded in its actions. Being an intergovernmental organization where decisions are taken by the Heads of the State or the Government, the progress is slow. As the politics among the nation's rule over the institution, this undermines its importance, thus, doubting its existence. SAARC, as a regional institution, has been able to contribute to the development, in areas of cooperation that are quite trivial., but not much to the overall strengthening of regional cooperation in South Asia due to the institutional regime.

#### **1.5 Scope of the study**

The study focuses on South Asian Regionalism and the importance of SAARC as a regional institution. The factors taken will be the norms and rules of the institution in the form of Charter and Principles, the SAARC structure and decision-making mechanism. The background study will be analyzed through the relations between the member nations.

## CHAPTER 2

### LITERATURE REVIEW

*(The review below has been divided into 3 parts: First it presents different scholarly views and perception about SAARC, its evolution and the hurdles present in its development. Secondly, it attempts to identify the importance of institution and regimes in general and within the institution. The connection of these two sections of literature shows the importance of interconnection between an institution, its regimes that follow and analyzes its importance to the strength of the institution. It advocates the importance of a stronger regime (principles, norms and working mechanism incorporating the decision-making process) to a stronger institution that comes first rather than the outer/external factors than the institution. This is further reviewed by the third section that deals with theories that attempts to explain this connection and the 'resembling' theories that connects this to SAARC.)*

From hostile relations to lack of infrastructure in development, the underdevelopment or slow progress of SAARC has been taken as a failure of the organization. Though some scholars have identified the weakness of the norms and principles present in SAARC, they have failed to elaborate it fading its importance and directing the concern to other reasons. The section below shows the perspective of different scholars that take into context the hostility among nations, asymmetrical size, political will, and lack of democratization of the nations and issues of sovereignty when compared to regional organizations like the ASEAN and the EU and many more reasons accounted for the underdevelopment. Though the institutional weakness has been identified by some, it has not been under stronger analyses.

#### **2.1 SAARC as a regional institution**

The changing circumstances during and after the end of the cold war resulted in a dramatic shift within Europe from security to deeper economic integration. This reflected on the other side of the world as the collapse of empires was taken as a sign of independence and rejuvenation for the colonized countries in Asia. Regional groupings started to emerge either as a natural response of weak states or as a diplomatic

arrangement to improve the position of the region in the international system (Fawcett & Hurrell, 1995, pp. 21, 47). As in the context of SAARC, it seemed to be both: calculating the power dynamics, when seen and analyzed from a geopolitical lens and improving its status, on the international arena.

Emerging with these two reasons, SAARC has faced many hurdles in the path of its transformation and development. One of the most looked upon reason is the hostile relations amongst the member nations that has been talked about a lot whenever it comes to SAARC. In the book, "South Asia in the new decade," the author mentions about the turbulent history of South Asia with a series of conflicts; inter-regional, intra-regional and in-country (Pittal & Spittel, 2013 ). These conflicts are often termed as the reason behind the stagnant development of SAARC. Similarly, another scholar Praveen Bhalla, takes into account the historical evidence of disputes since the colonial period that lays the ground still fertile for territorial and other disputes (Bhalla, 1990). These conflicting issues also seem to be one of the reasons that has blocked the progress of regionalism in South Asia during the cold war, while it also acted as a catalyst for encouraging the process of regional integration in the region. In an article named "SAARC," the author Deepshika Shahi writes about the time when SAARC emerged as a result of the outbreak of Indo-Pak war (1971) and the intervention of Soviet Union in Afghanistan (1979) that created an alarming situation in South Asia with a hope for peace through formation of a regional organization. However, when the idea of forming a regional institution was brought forward, all the South Asian Countries (Bangladesh, Bhutan, Nepal, Maldives, Sri Lanka) agreed, except India and Pakistan. Shahi further gives a reason for this hesitancy for the approval of joining SAARC; Pakistan feared of Indian domination in the region for India was the largest country, while India feared SAARC would be a tool of its neighboring countries to gang up against it (Shahi, 2014). Supporting and further highlighting this dispute, Ayesha Siddika claims the environment of suspicion and mistrust between India and Pakistan to be the major reason for the un-development or stagnant position of SAARC (Siddika, 2013). While Praveen Bhalla in his writing regards not only the dispute between Pakistan and India but India's relations with other nations as well as other conflicted relations among the SAARC members for being the reason for underdevelopment of SAARC (Bhalla, 1990).

Secondly, the hostility does not only contribute to the history and colonial times. In his topic 'Big is not Beautiful in South Asia' in the book *Regional Cooperation*, Sridharan writes that India's presence that has propelled the smaller nations to perceive any act by it as an act of a bully. India being the largest of all, member-states have created fear within the region of its growing hegemony, to Pakistan as well as other smaller states. This has compelled India to follow a benign policy of unilateralism in most cases that would serve its own cause and its neighbors. In this regard, the asymmetrical geography of South Asia doesn't provide a good picture to the member countries of SAARC and has thus casted a shadow on the intra-regional relations in the region (Sridharan, 2007). An Indian Scholar noted further that the underlying reason behind the skirmishes has been the "cause of generating institutional decay and been the impediment to a stronger economic integration and cooperation making South Asia the least integrated in the world" (Dash, 2014). He further accounts the geopolitics of the region to have a huge impact on the 'institutional profile' where the policy of each individual country varies when it comes to two borders. Therefore, the states tend to remain sensitive to geopolitical issues concerning their national security (Dash, 2014).

Third, Saman Kelegana accounts for the increased number of least developed countries as the members of SAARC for the underdevelopment or halt in progress. The author argues that this further shifts the priority to dominant issues rather than on economic areas. This has affected the trade within the region where most of the potentials are realized and recognized and has mostly constricted the development of South Asian Free Trade Agreement (also known as SAFTA), despite its progression from South Asian Preferential Trade Agreement, known as SAPTA. He further mentions the sensitive list, identified as the list with most actively trading goods, of SAFTA Agreement as a whole that has created the interstate barriers between the members (Kelegama, 2007). Despite being the closest member nations in proximity, the region is the least integrated one. This can be claimed true to some aspects when we see the developed participated countries in other regions like Europe and even Southeast Asia with emerging powers like Korea, China, Singapore and so on.

### 2.1.1 SAARC/ASEAN/EU

When compared to other higher integrated region like the EU or the ASEAN, SAARC has often come into the context of being a failure. Kripa Sridharan in his book *Regional Cooperation* compares SAARC with ASEAN (Association of Southeast Asian Nations) and has reflected on its weak institutionalization with further comments on the effectiveness of the mechanism that exists within the organization. Therefore, fourth, the comparison becomes the reason for underdevelopment of SAARC (Sridharan, 2007). When it comes to South Asia, Sridharan pointed out the importance of the SAARC charter terming it as a “critical determinant” and a learning point for ASEAN that formed it in only 2007. This he takes it as a strength of SAARC that ASEAN has learnt from. “Even though it was probably more responsible than other causes for the slow progress in SAARC,” it hasn’t received much attention to the member nations yet. Sridharan further differentiates regionalism in Asia ruled by intergovernmental notion where ASEAN is “state-driven” and SAARC, “by large, is state-stalled” (Sridharan, 2007). His book focuses on the necessity of a well-suited norms and principles aiming for fostered cooperation that will result in a deeper level analysis of the challenges faced by the state during cooperation. Similar to Sridharan, Manepalli brings about the comparison with the EU being a ‘supranational’ institution and SAARC being the intergovernmental institution giving it a base for SAARC to be termed as the least integrated region (Manepalli, 2008). However, contradicting to this point, many theorists have commented that the EU follows more of an intergovernmental form than a supranational one. The author of the book *EU Law* reflects on the unwillingness of the member states to lose their power in the matters of policies that are close to their sovereignty issues. It further notes that one of the pillars, known as ‘community pillar’ in EU is characterized to supranational methods of decision making, while the two pillars concerned with ‘sensitive areas’ are more intergovernmental as chosen by the states (Craig & Burca, 2011). Another scholar, Uttara Sahasrabuddhe, based on her citation of Amitav Acharya- a renowned scholar in contemporary regionalism, then elaborates on the types of regionalism as “sovereignty-based” and “sovereignty eroding.” Uttara further elaborates on the priority given to regionalism and cooperation ahead of sovereignty by European Union making it a sovereignty-eroding while the regionalism in South and Southeast Asia as being more

“sovereignty-based” (Sahasrabuddhe, 2010). Contrarily, some scholars have argued EU to be the transfer of sovereignty rather than sovereignty- ‘eroding.’ However, each regional organization vary in terms of their structure, surrounding, geography, history and type of members.

While contradicting these views posed by Sridharan and Manepalli, based on the notion of “Comparative Regionalism,” comparing European regionalism with Asian regionalism is rather unrealistic as each institution so formed are different. However, the study of regionalism can be taken as a guide to explain the phenomenon further in this study of the relation between weak/strong institution and existing intra-regional relations. In his book “Global Institutions: Regional Security,” Rodrigo Tavares attempts to make his point that each organization is different and so is their role. He explains the role of regional organizations and their capacity through analyzing and evaluation of different organizations such as African Union (AU), Economic Community of West African States (ECOWAS), Organization of American States (OAS), Association of Southeast Asian Nations (ASEAN), Commonwealth of Independent States (CIS), League of Arab States (LAS), European Union (EU) and North Atlantic Treaty Organizations (NATO) through different approaches including analyzing decision-making mechanisms, related agencies, structures and its operations (Tavares, 2010). However, he leaves out SAARC out of this stating that it has resisted in incorporating a “security mandate” and follows the principle of “*Panchasheel*” (stated earlier) as pressured by India. He further mentions SAARC’s engagement and as affected by Kashmir conflict due to the avoidance of talking about bilateral issues as mentioned in the Charter (Tavares, 2010). In a similar context, Shahi further clarifies, based on this domestic politics, about the principle of SAARC based on “*Panchasheel*” that avoids the discussion of “all bilateral and contentious issues” and the decision taken based on unanimity of the member states (Shahi, 2014). Concluding her article “SAARC,” Shahi mentions about the in-flexibility of SAARC as an organization and its inability to breed ‘political trust’ in the region. While she regards the domestic politics within the member nations responsible for the hurdles, she puts on her final remarks emphasizing on the form of government each member bases its political system on and terms the lack of democratization that has reflected on the institutionalization of SAARC (Shahi, 2014). Likewise, once again, the factors of domestic environment are

pointed out by another scholar as well in an attempt to identify the hurdles of SAARC. Rizwan ul Hassan and Shafiqur Rahman clarifies the inability of the region to accelerate the market integration and hold up the potentiality of trade by emphasizing on the like factors of political will and building confidence amongst the SAARC member countries along with addressing the economic constraints to trade and infrastructure (Hassan & Shafiqurrahman, 2015). This can be matched up with the highlight of the level of development of member countries in determining the development in SAARC, as stated by Kelegama earlier.

Other than historical disputes and geography, scholars have pointed out various other determinants that determines the stagnancy of SAARC like the characteristic of the member nations, the political will of the leaders and even while in comparison to other senior regional institutions and the list goes on and on. A few have mentioned about the institution and the characteristics of the institutions including its principles but have not analyzed or described about it. Although Sridharan takes in the organizational framework, enforcement mechanism, its principles, norms, values that determines the importance of strength of an institution for sustained cooperation between the member states as a blockade for SAARC, it compares it with the development of ASEAN on the positive aspects as well as its negative (Sridharan, 2007). Despite being a late comer in regionalism, SAARC has been considered a failure after comparing it with older and more experienced regional institutions like the EU or NAFTA or even ASEAN, but with the fact pointed out by Sridharan that SAARC in turn could provide ASEAN with some leads regarding the Charter earlier, SAARC doesn't seem to be ineffectual (Sridharan, 2007). Its potential is yet to be harvested with its ability to progress in SAFTA, formation of agencies on various pertinent aspects like terrorism, drug trade, and fostering interconnectivity. However, there is a very limited review or mentions about the lack of institutional capacity of the institution itself, the fault being in the charter or the structure or the resources, within.

## **2.2 Institutional capacity through regimes**

As mentioned in the previous section, the strength of institutions is reflected through its actions being taken. Komori in her article highlights the four dimensions of

institutional features that can determine the strength of the institution: membership, structure and arrangements of an organization with forms of bureaucratization and staff members, governed with laws, rules and norms (Komori, 2007). Similarly, a scholar analyzing the institutional capacity to deliver the services of a local government agency in Indonesia refers to the importance of the organizational dimension as one of the five-factor dimension attributed by the UNDP. The factors range from the structures of formal and informal influence to the rules and procedures and the resources of an organization and its coordination with other organizations. Along with this, Imbaruddin, a scholar, mentions three-level conceptual approach of the UNDP to analyze the capacity of institutions: the system, the entity and the individual levels. The individual level refers to the skills and competencies of the staff; the entity or the organization level points out to the internal structure and the working mechanism of the organization; the system level refers to the national and regional framework and policies that manage the institutions (Imbaruddin, 2003). Through this we can analyze that for different scene, the institutional capacity also differs. However, one factor that play an important role in determining the actions of an institution is its guiding principles. This in turn reflects on how strong the institution is. Narrowing down to the section of regional institutions, Rodrigo Tavaréz in his book “Global Institutions: Regional Security” cites Marrack Goulding, an undersecretary General of the UN in charge of peacekeeping, emphasizing on the importance of bureaucratic structures along with experience availability and accessibility to resources necessary for peacekeeping processes in a regional organization (Tavares, 2010). However, this idea of structures in an institution for its effectivity is not only limited to the section of peacekeeping.

### **2.2.1 Institution or organization**

While institutional capacity is always referred to as the aptness of an institution to meet its goal or objective, there is no definition that can fit in all circumstances. The determinants in each vary. All the above-mentioned reviews entitle to the importance of structures along with the rules and norms in any institution. When defined, an institution is “a system of established and prevalent social rules that structure social interactions” (Hodgson, 2006). In an article, “Institutionalism in IR,”

Oran Young differentiates institutions from organizations, by defining institutions as “social practices consisting of easily recognized roles coupled with clusters of rules or conventions governing relations among the occupants of these roles” which may or may not involve organizations; organizations, here, is understood as “material entities possessing physical locations (or seats), offices, personnel, equipment, and budgets” (Jonsson & Tallberg, 2001). The term institution itself has a diverse meaning that sometimes contrast with the definition of organization and sometimes resemble it. The widely accepted definition does not exist. (The study shall use the word interchangeably.) Similarly, Douglass C. North further distinguishes between institutions and organizations, as organizations being a special kind of institutions which characterizes well defined boundaries between members and non-members, sovereignty-based and chain of command within the structure (North, 1991). This allows the flexibility to assess the role of the institution based on different elements due to its elusive nature.

The definitions may or may not evolve from material structures to incorporation of values and beliefs that form the actual “structures” of an institution. In the book *New Institutionalism*, Andre Lecours indicates this evolution of institutions by distinguishing definition of institution based on “old institutionalism” and “new institutionalism.” According to him, Old Institutionalism featured structures that were limited to constitutions, cabinets, parliaments, bureaucracies, courts armies, federal or autonomy arrangements, and in some instances party systems. In other words, it “referred to the state or more exactly to Government.” While, Lecours further mentions March and Olsen (pioneers of new institutionalism), referring to their book, *Rediscovering Institutions*, and defines institution through two lenses: first, as a sociological institutionalist which based institutions on normative and cultural values like beliefs, values and cognitive scripts distinguishing it from the necessity of having formal structures. Second were historical institutionalist which takes into account both the aspects: a framework or a formal structure, taking the stance of materialistic aspect, and the notion of values and norms, particularly ‘regimes’ on which the structures are based (Lecours, 2005).

All of the definitions and differentiation of organizations and institutions, as mentioned above, show that despite changes in time and evolution of institutions, its

functions still do take the basis of its internal structures, which are in turn based and further maintained upon its drafted rules, norms and principles. Incorporating these aspects of institutions, Barkin in his book “International Institutions” introduces two approaches: regime approach and institutional approach; to understand institutions further. Regime approach deals with the rules, norms, principles and procedures in a given issue area, while the institutional approach focuses on what happens within the institution (Barkin, 2006). Further defining regime, based in a book “Theories of International Regimes,” regime represents the “implicit or explicit principles, norms, rules and decision-making procedures around which actors' expectations converge in a given area of international relations” (Hasenclever, Mayer & Rittberger, 1997). The author puts forward assumptions and notions of pioneers in the field like Robert Keohane, Ernst Hass, Oran Young, John G. Ruggie and Stephen Karsner (some even mentioned above) emphasizing on the close connection between regime and cooperation. He further highlights two main points in the midst of all the debates that would explain theories of international regimes and its link to institutions; first, “international regimes are international institutions and should be studied as such;” second, “the terms international regime and international organizations are neither co-extensional nor synonymous but both are the parts of institution.” The author attempts to link regime as an important factor in a new kind of institutionalism that now underscores the fact that ‘institutions matter.’ It further clarifies that regimes (as per the definition above) aids in making agreements and treaties by ‘providing a framework of rules, norms, principles, and procedures for negotiation.’ (Hasenclever, Mayer & Rittberger, 1997). This particular knowledge disseminates the fact that regimes are the tools/instruments created by the states, which furthers cooperation and thus cannot be separated if one expects fruitful outcome and/or increasing welfare. In support of this, the author adds that regimes, along with “providing a strong element of inter-subjectivity,” also provides the standard to maintain behavior of the states claiming that with the existence of a regime, states tend to act accordingly (Hasenclever, Mayer & Rittberger, 1997).

These adds up the process of decision making taken through structures within an institution that is further guided by rules, norms and principles to be the important factors that determine the capacity of any institution.

### 2.2.2 Summary (of the section)

Table 2.1

Scholarly review on institutions/organization and regimes

Authors	Perceptions about institutions
Geoffrey.M. Hodgson	System of established rules that structure social interaction.
Oran Young	Institutions defined as social practices with rules and norms or conventions gathering relations among the occupants of the roles.
	Organization represents material entities possessing physical locations, office personnel, equipment and budgets.
Andre Lecours	(Old Institutionalism) represented by structures limited to constitution, cabinets, parliaments, bureaucracies, courts, federal autonomous arrangements.
James G. March and Johan P. Olsen	Sociological Institutionalism explains it through normative and cultural values like beliefs, values, cognitive scripts.
	Historical Institutionalism explains it through framework or formal structures, more materialistic aspects with nortion of values and norms. (Regimes)
J. Samuel Barkin	Regime Approach reflects on norms, rules, principles and procedures of decision making.
	Institutional approach focuses on what happens within the institution.
Andreas Hasenclever, Peter Mayer & Volker Rittberger	Institutions as regimes, in the realm of IR implicit or explicit principles, norms, rules and decision-making procedures. ( <i>"Theories of International Integration"-book</i> )

Summarizing it all, in his article "Institutions", Douglas C. North writes,

*"Institutions are the humanly devised constraints that structure political, economic and social interaction. They consist of both informal constraints (sanctions, taboos, customs, traditions, and codes of conduct), and formal rules (constitutions, laws, property rights). Throughout history,*

*institutions have been devised by human beings to create order and reduce uncertainty in exchange.” (North, 1991)*

The interlinkage between Institutions/Regimes of Institutions and cooperation has been well explained by Robert Keohane, in his book *After Hegemony*. He talks about cooperation within the capitalist states where he analyses the importance of institutions or ‘regimes’ in order to facilitate cooperation amongst state actors. He emphasizes on the fact that cooperation is possible with a stronger regime in an institution even if there is no hegemony (Keohane, 1984). Another author in the book “Regionalism in world politics,” regards regional institutions as important in a sense of developing international cooperation that follows a concept ‘the smaller it is, the better it is’ when it comes to regional problem-solving (Fawcett & Hurrell, 1995, p. 19). Supporting this argument, Andres Rodriguez-Pose in his article states the importance of regional institutions “for economic development and deserve to be considered in any development policy. However, institutional intervention cannot be done via a ‘one size’ fits all policy framework” (Rodríguez-Pose, 2013). As also applicable to regional institutions, this view reflects that different regions and institutions take in different approach depending on their geography, development and status. The different brands of regionalism bring about new attitudes towards international cooperation and negates the idea of confining the definition of regionalism to Europe alone. As a result, a ‘newer set of regionalisms started emerging with an attempt to overcome the problems, informed by consciousness of the geopolitical environment in which they were operating in’ (Fawcett & Hurrell, 1995, p. 16). These so-lately emerged organizations had limits in terms of goals and memberships and were free from ‘any integrationist pretensions.’ In the case of developing countries, as stated in the book ‘*Regionalism in World Politics*,’ decentralization during regionalism meant that the affairs (international or regional) were no longer dominated by power-politics and would be handled more regionally rather than globally. Hence this developed into a formation of a Non-Aligned movement (NAM) between Asia-Afro Communities. The idea of an ‘institutionalized regionalism’ now meant constraining the ‘disrupting effects’ caused by the power dimensions (Fawcett & Hurrell, 1995, pp. 21, 51).

The author further adds indicating the importance of the relationship between the ‘unequal powers’ that (can) create a distinct path depicting the nature of

regionalism in different parts of the world. Supporting this argument, Hurrell further marks that each serve a wide variety of purposes ranging from the stabilization of power within a region to the institutionalization of confidence building measures and further to negotiation in terms of security, yet all emerge from the same root as all activity within a region involves ‘negotiation and construction of interstate or intergovernmental agreements and regimes.’ Following this he mentions three types of models that the organization can be based upon. First, the one that emerges from the creation of supranationalism in a region, second, reflects ‘a series of overlapping and institutionally strong interstate arrangements of regimes’ and third, the one that is derived from a complex and evolving mixture of traditional Intergovernmentalism and emerging supranationalism (Fawcett & Hurrell, 1995, p. 45).

### **2.3 International relations theory and theories of regionalism**

In the above given line, the regionalism phenomena in SAARC could not be defined under any of the three models of organization. Even though different theories have attempted to explain the phenomena of regionalism in South Asia, only a limited research have attempted to explain the regional institution while talking about the phenomenon. The new brand of regionalism denoted by ‘comparative regionalism’ opened the path for different theoretical perspectives connecting to the academic study of International Relations. This has resulted in wide range of theories explaining the process of regionalism worldwide. As Hurrell and Fawcett mentions the theoretical literature on regionalism remains ‘enormous’, as well as ‘uneven and fragmented’ (Fawcett & Hurrell, 1995). As argued earlier in the review itself, the fear of marginalization and vulnerability were few of the driving forces for the formation of regional organization in the developing countries allowing them to form solidarity within their region.

In the realm of International Relations, the phenomenon of regionalism was attempted to explain based on the three dominant theories of IR: Realism, Liberalism and Constructivism. Realists mostly based its analysis of regionalism on ‘power-politics’ model and viewed “international organizations as no more than interstate institutions” (Fawcett & Hurrell, 1995, p. 13). With excessive emphasis on power and

inter-state relations, it failed to explain other factors and actors in the international system. Adding on to this perspective, Neo-realists like Kenneth Waltz and Mearsheimer has advocated the importance of state and believed in the concept of power distribution to balance the anarchic world model in the international system. In a book “International Relations Theory and regional Transformation” by T. V. Paul, for example, it did explain the emergence/establishment of the European Union as an attempt to balance out the power in Europe after the devastation of the Second World War, while also blocking out the emergence of any powerful country like Germany. This concept could be explained by the Balance of Power theory. It states that institutions are just a medium for powerful countries to exercise power and safeguard themselves from any kind of threat (Paul, 2012). This in South Asia could be seen as done by Pakistan balancing off India. Similarly, another part of Realism is explained by the Hegemonic stability theory that highlights the importance of a hegemon in a region important to maintain stability within the region as explained earlier. The idea of that the great powers are the great keepers of regional order, as defined in the book, the author fails to explain the presence of India, the largest country in South Asia. In fact, within SAARC, most of the conflicts or hostility lay with India itself. This negates the theory posed by realism, which entails that ‘hegemon has the capacity to impose greater peace’ (Paul, 2012).

The third kind of notion that neorealism brings out is the concept of ‘bandwagon’ where the regional arrangements are created by relatively weak states seeking accommodation with the hegemon in the region in order to attain some benefits from the major power. The theory of Neo-Realism hence predicts that these prevail when the small states are in close geographical proximity (Fawcett & Hurrell, 1995, pp. 51, 53). This has been one of the theories that has attempted to explain the formation of SAARC in South Asia where the smaller states have aligned with a bigger state, that is India through regional cooperation. However, as the smaller states reject the idea of forming a hegemon-like figure within South Asia to avoid domination from India, the theory then does not become applicable in the context of SAARC. Furthermore, it disregards other factors and actors in the international arena and thus, says very little about the nature of regional cooperation that takes place in a certain institutional structure within the idea of any kind of ‘coalition, alliance or organizations. (Fawcett

& Hurrell, 1995, pp. 51, 53) Contrastingly, Sridharan has used the term “Small Power Syndrome” to explain the alliance and formation of inter-state relation in South Asia. (Sridharan, 2007, p.131) In SAARC, the member countries seem to give more importance to its national security, power and self-benefit rather than any kind of norms or rules advocated by the organization. This theory fails to explain the creation of the regional order in South Asia or any kind of transformation within these orders. (Mansfield & Milner, 1997) In addition to this, the theory, as a whole fails to explain the dynamics of power in SAARC and its existence, despite the anarchy prevailing within the region.

Similar to realism, neoliberal scholars agree on the concept of anarchy with the reason of existence of institutions in the international arena. However, this is seen in a positive way as it lays a futile ground for international cooperation and through it to mitigate the negative effects of anarchy, hence, bringing structure and order. As stated by Wunderlich in “Regionalism, Globalization and International Order” theorists argue that international organizations can help reduce anarchy by constraining states behavior. However, on the other hand, unlike realists and neorealists, they believe in economic interdependencies and even integration as the result of cooperation. The book further states the ideas by Immanuel Kant, Micheal Doyle and Karl Deutsh, - the desire for long term intergovernmental cooperation and modern liberal democracies as the result of successful international cooperation (Wunderlisch, 2007).

Another aspect of the theory emphasizes on institutions and its functions that has been incorporated to the recent study of international cooperation and understanding the revival of regionalism. Robert Keohane, a well-known theorist of Neoliberal Institutionalism states that the regimes under institutions are established by the states to achieve their purposes and generate solutions to different kinds of problems that require collective action. He further puts it, “facing dilemmas of coordination and collaboration under conditions of interdependence, Governments demand international institutions to enable them to achieve their interests through limited collective action.” (Fawcett & Hurrell, 1995, p. 61) In addition to this, these institutionalists consider states as ‘rational egoist’ and term institutions as important as they benefit states through cooperation in a given area of international relations. Under this context, European Council has been a major highlight whose “arrangements rest on an evolving set of

inter-governmental bargains between the major States” (Fawcett & Hurrell, 1995, p. 63). A new advent to this, the author of the book ‘Historical Institutionalism & International Relations’ further states the rationalist literature, emphasizing the role of institutions, that the rules have long-term consequences and that the institutional context creates a legacy that may shape the action (Rixen, Viola & Zurn, 2016). On the other hand, Mearsheimer contradicts to this by presenting a critique to the idea of mutual gains. Unlike institutionalist, he raises doubts in the importance of institutions that cover aspects of security and politico-economic arrangements claiming it to be inseparable. He points out that international institutions are not independent bodies but are the result of global distribution of powers (Geschwindt, 2016). In a similar context, Fredrik Söderbaum (2011) talks about the argument brought by neoliberal institutionalist as they share the idea of an anarchical system similar to neo-realist. He further emphasizes on the notion that ‘institutions matter’ because of the benefits that they provide. However, his idea of the state-behavior being constrained as a result of the institutionalization doesn’t clarify SAARC’s situation in South Asia.

The third kind of IR theory attempting to study SA Regionalism phenomena, Constructivism explained by Amitav Acharya to ASEAN might play an important role to understanding SAARC as well. Under this context, Acharya explains the concept of “new regionalism” that explains “The ASEAN way” through the importance of ideas, norms and values to explain regionalism (Söderbaum, 2011). As a critique to the theories of old regionalism, the concept of “new regionalism” was explained by a constructivist approach through elements of ideational and normative forces rather than materialistic forces and with an emphasis on actions, and motives of actors and their perceptions (Acharya, 2012). The book (*Comparative Regionalism* by Amitav Acharya) further states that these very perceptions and expectations facilitate cooperation through shared understandings of goals and outcomes. These, then become the elements to manage the economic, political and security aspects in any region (Acharya, 2012). According to Acharya, these institutions exist and thus play an important role as they embody norms and rules that actors accept as legitimate and appropriate. Constructivist thus emphasizes on interactions and process that leads to the formation and changes in an institution, a point highlighted by “Historical

institutionalism”- a subfield of new institutionalism- that “history matters” (Rixen, Viola & Zurn, 2016).

“Historical Institutionalism” reflects an understanding of an institution reflecting on its past events for the development and its evolution. This aspect is studied through the lens of path dependence that views outcomes are dependent upon past processes or historical events (Rixen, Viola & Zurn, 2016). The concept emphasizes on the relation between institutions and societal actions, especially the way they interact and the way they affect each other. It analyses the emergence of institution and hence the way they impact or influence actors to take an action (DiMaggio & Powell, 1991). Theorists of New Institutionalism as in the book by Andre Lecours, emphasizes on the importance of institutions expressed by the slogan ‘bringing the state back in’ and in turn ‘structuring politics.’ The author signifies the relation between social action and an institution and thus institutions are the tools to states manipulated by the societal factors. However, this claim has been criticized with the idea that institutions are neutral and that it tends to focus on the “micro-individual links to micro-institutional settings” (Lecours, 2005; Hong, 2014).

As a part of explaining the regionalism phenomenon, the book ‘*Regionalism in World Politics*’- “the success of the early attempts at integration in Western Europe posed a new challenge of regionalism spawning new school of functionalist” (Fawcett & Hurrell, 1995, p. 13). The author further adds to the theory of neo-functionalism which incorporates the integrationist perspective along with the political lens as well as functional ‘spillover’ as it provided a strong explanation to regionalism in Europe (Fawcett & Hurrell, 1995, p. 13). The theories of functionalism, neo-functionalism and Intergovernmentalism were brought about to explain different phases of regionalism in Europe, first. The evolution of these theories from functionalism and neo-functionalism, a more euro-centric approaches that explained ‘old regionalism’, also attempted to explain the concept of ‘new regionalism’ now through Intergovernmentalism, Institutionalism and Constructivism. This part of regionalism came on the limelight during the 1960’s when the European Community (EC) which was advocated as a model for a regional institution, was criticized with the importance of nationalism and sovereignty in the region. Stanley Hoffman with his own

theory of Intergovernmentalism takes in the stance of a realist approach and challenges neo-functionalism approach in the field of regionalism.

Amongst all the theories stated above, each theory has/had its way of explaining the current situation and decision-making processes in SAARC but has hence been incomplete. The turning up of events and the response by the institution or the action by the institution and its relation to the inter-state relations have questioned the existence of theories in IR and Regionalism theories. The above stated major points of IR theories mostly lay down the base for other theories but are not fully capable of explaining the complete phenomenon. Amongst it all, the study would analyze the role of SAARC as a regional institution through the applicability of its regime, i.e. decision-making process based on its institutional capacity guided by its principles and norms and rules, which seems to be massively missing in the existing literature. In the advent of the post-cold war, along with massive globalization, we saw the rise in regional organizations forming cooperative alliance with the motives of building regional cooperation to foster trade benefits. Intergovernmentalism, when in the case of EU, defined the importance of nation-states in integration, based on their interest areas and cooperation. If they didn't find any advantage, there would be no or slower integration. The theory explains the lesser level of integration in SAARC as it emphasizes more in the individual preferences of the member states in the region. It tends to elaborate on the role of regional institutions as seen in SAARC.

### **2.3.1 The theory of intergovernmentalism**

#### **2.3.1.1 Intergovernmentalism vs. neofunctionalism**

The theory of Intergovernmentalism, first emerged as an explanation to certain events in the European Union (EU), mostly as a critique to the neo-functionalism approach. One pertinent example was the French President De Gaulle's actions that reflected the importance of the decision-making power of the nation states depending on its national security and overlooking the power dynamics in and outside Europe (Eilstrup-Sangiovanni, 2006). This was the driving force that changed the Neo-functionalist perspective between the member states and scholars raising doubts to the process of integration and regionalism in the EU. Having said this, one must also pay attention to the power dynamics in and outside Europe during the formation of ECSC.

During its establishment, Europe was sandwiched between the power struggle of the Soviet Bloc in the east and the USA in the west that led to a more cautious nation-states in Europe (Pan, 2015).

In the process of rebuilding and restructuring, as the economic integration of the 6 EU countries started progressing, neofunctionalism emerged to explain the benefits of integration through spillover effects. The theory puts forward the explanation of why members integrate and cooperate, further advocated by theorists like Ernst Hass, Leon Lindberg, Stuart Scheingold, Phillippe Schmitter and Joseph Nye. The concepts were challenged by the supporters of Intergovernmentalism rooting on more realist's notion like E.H. Carr, Hans Morgenthau, Roger Hansen and Stanley Hoffman (Eilstrup-Sangiovanni, 2006). The intergovernmentalism theory stresses the fact that regional integration would exist only when both parties are benefited by the integration- as it terms institutions as a 'rescue of the nation-state' (Beeson & Stubbs, 2011).

Stanley Hoffman, as the pioneer of the theory, poses strong advocacy of the nation states and terms it as "obstinate rather than obsolete." This reflects the claim of authority by the nation states still holding dominance in the international system. To this he adds up, "*nation states are modified but omnipotent.*" With time they grow/develop along with their ability to adapt to the changes and integration through collaboration and cooperation, but with this also grows their ability to create influence and dominate (intergovernmental) institutional forces (Hoffman, 1966). In his article, "Obstinate or Obsolete? The fate of the nation state and the case of western Europe," Hoffman also reflects on the behavior of the nations with a determination to fulfill their national interest, guided by the feeling of nationalism. Despite the different cultural and historical background that shape up the nationalist sentiment in a country or within an individual, it all conjoins to one simple rule: preserving the nation and its national interest, and this remains the top-most priority of policy makers (Hoffman, 1966).

Similarly, the idea of integration by Neo-functionalist scholars like Ernst Haas who support the "logic of integration" was criticized by Hoffman's "logic of diversity." While Haas claimed integration to be an opportunity to bring together states of different cultures and identity with their own unique way to solve problems jointly, Hoffman's "logic of diversity" argued it to be the reason that keeps the members

apart from sharing the same path of integration. He claimed that individual states with an intention to preserve their own identity and diverse yet unique nature, they agree to cooperate to the level their interest match (Hoffman, 1966). Ernst Haas regarded integration as a process that takes place between states with diverse national setting, who then are pursued to shift their loyalties, expectations that direct their activities towards a center denoted by institutions (here), and likewise thus, demand the authority over the national states (Haas, as cited in Lupiy, 1996). According to Neo-functionalists, when member states choose to integrate, they decide on a certain area to cooperate and thus get benefitted by the joint collaboration or cooperation between them. This makes them see the benefits and incentives for the long run and leads them to expanding the integration to another area, another dimension. As a result, there is a stronger integration which gives a limited chance for states to retrieve back due to the economic costs they would face after doing so.

#### **2.3.1.2 EU and its pillars**

Describing the relation between the EU institution and its members, Hoffman states, “the interstate cooperation may lead to the set-up of European Institutions with a varying degree of autonomy, power, and legitimacy, but no transfer of allegiance or loyalty, and meanwhile the authority of the institutions is limited, conditional, dependent and reversible” (Hoffman, 1966, p. 909). This explanation can also be supported by the claim of ‘three pillars’ as the institutional structures of EU as mentioned in previous section. The book ‘*EU Law*’ attempted to explain the institutional structures of EU, through these ‘three pillars’ maintaining the balance between the two theories and reflecting the working mechanism of EU. The pillars were denoted by the European Communities that follows a ‘Community Integration Method,’ the Common Foreign and Security Policy (CFSP) and Cooperation in the field of Justice and Home Affairs (JHI); the second and the third pillar both follows an Intergovernmental Cooperation Method (Craig & Burca, 2011). However, with the evolution of the EU, the lines between the two approaches started blurring out and has come up on frequent debates as to who explains the phenomenon better. With the current events going on at the EU, different concepts based on intergovernmentalism framework emerged and so the supremacy of the idea has tended to master the supranational forces governing in the institution. Making the argument stronger, the

current events of Brexit has reiterated the viewpoint the French President De Gaulle emphasized earlier during the 1960's in relation to British membership. The development and adoption of policies take in notice of the national policies and the nation-states at the EU. Thus, the regional arrangements at the EU, can be said as characterized by the intergovernmental set-up where the Council of Ministers led by the Head of the member states remain intact to their sovereignty and only cooperate in areas, they would want to cooperate in and areas that serves or do not hinder the purpose of fulfilling their national interest (Suaprae, 2007).

In line with the working mechanism, the three-pillar structure also has clearly shown the differences between High and Low politics. The areas of low politics are those where states are more willing to cooperate as they are not controversial and do not pose a threat to the identity of the nation states. While High politics includes areas that are dealt with issues of "national sovereignty and national identity" like foreign affairs or defense, most like a political sphere (Pan, 2015). According to Hoffman, "Once integration reaches to issues that affect the realm of power denoted by high politics, the agreement becomes difficult, if not impossible" (Eilstrup-Sangiovanni, 2006, p. 99). Reflecting the process in the European Union by the Council, he further states, "the European Community should be conceived as an international regime- a set of norms, rules and decision-making procedures, designed to reduce the transaction costs of cooperation on a variety of issue areas rendering mutual and unambiguous benefits to its member states" (Hoffman, as cited in Eilstrup-Sangiovanni, 2006, p. 99). Hoffman emphasizes on two points as a criticism to earlier theories that posed an explanation to the EU phenomena: first, the analysis failed to take into context the external environment, i.e. the international system and therefore had a narrow perspective. Second, due to the external influences, they failed to realize that the path to integration or spillover might not be the same to all the member states and as the perspectives of the members do not match, the power sometimes does not fall into the support of the thought of integration and institutions (Eilstrup-Sangiovanni, 2006).

Summarizing it all, the author of the book "Debates on European Integration," compiles most of the works of Stanley Hoffman (in years 1963, 1964, 1966, 1982) and identifies the key gist of the theory built upon the critiques of

Neofunctionalism. The author brings out the case of De Gaulle as the most prominent example to explain the intergovernmental notion in EU. He further elaborates the importance of states as a sole decision-maker for their external policies, guided by their national interest, allowing them to bargain striving to fulfill the interest. As each member states defined by their history, geography and experiences are different, with the logic of diversity the deep and complete does not seem to be possible, rejecting the idea of spillover (Eilstrup-Sangiovanni, 2006). Supporting this argument, Roger Hansen, another Intergovernmental scholar emphasizes on two ideas: the differences present in High politics and low politics and the importance of interaction within the member states and in the international arena (Hansen, 1969). Bringing forward the arguments of Roger Hansen, the book highlights the differences in integration in Europe and the less developed world. The author states that the effects of spillover have resulted in deadlock in the less developed world due to over-politicization, whereas in EU the distribution of benefits hindered the 'politicization of economic integration' (Eilstrup-Sangiovanni, 2006).

Contrastingly, the notion of Intergovernmentalism has also been criticized simultaneously stating that it has failed to explain the success of the Single currency, development of the European Political Cooperation (EPC), all of which diminished the lines between the distinctions Hoffman made, i.e. high politics and low politics. The policies made by the political units in the sector of cooperation tend to reduce the gap between the two types of politics Hoffman mentioned (Pan, 2015). Another critique to Hoffman's importance of national interest was that it seemed to be quite narrow and there is much more in the sector of cooperation than only the national interest and leader's perception. In addition, in today's world each entity plays an equal role, a nation state has to rely on multi-national actors as well, for combating the regional, if not global issues. In order to fit in with these issues and explain more on the phenomenon of regionalism, the study of Intergovernmentalism theory was further studied, deepened and modified by later scholars that grew into the concepts of 'Confederalism' by Paul Taylor and Wallace's, locked in with different concepts and domestic politics (Cini, 2013). While Andrew Moravcsik's Liberal Intergovernmentalism has been used widely and the latter developments of the European Union, the other modified approaches that support the concepts of

Intergovernmentalism has been forgotten. This displays the limited evidence of the strength of Intergovernmentalism, which is yet to be explored more. The modified theories evolved through the base of Intergovernmentalism attempted to explain the relation between the institution and the nation states, where the latter still holds the importance in the decision-making processes; the phenomenon of confederalism, the concept of ‘locked-in’ and liberal Intergovernmentalism emerged.

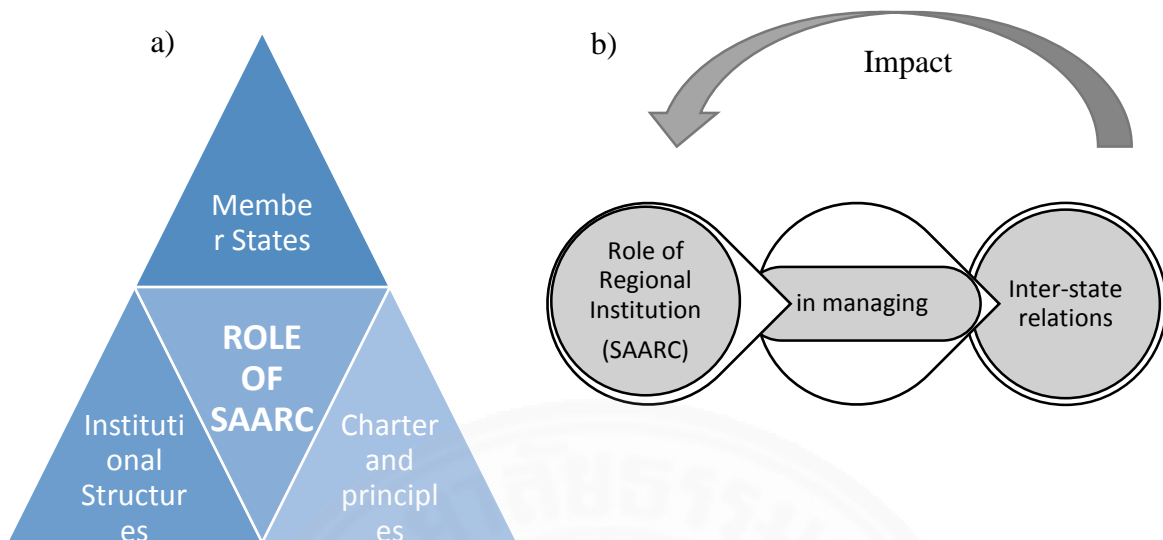
### **2.3.2 The Evolutionary concept of Intergovernmentalism**

The criticism of Intergovernmentalism reflected its weakness and inability to explain regionalism in a full-fledged form. After the emergence of single currency and CFSP, as a ‘revision’ of Intergovernmentalism, confederalism as a modified theory emerged that identified the presence of the system (or a perception) where the states remain integrated through a common policy while also continuing to be intact with their national sovereignty. Similar to Intergovernmentalism, confederalism states that the institutions act as a tool to foster interstate relations and cooperation in order to solve their common problems, hence, also abiding by their national interest (Pan, 2015). The concept was built upon by Paul Taylor in the 1970’s. He states that “each state perceived the benefits of membership in the club for its own interest, and along with it were reminded of the costs of moving towards greater supranationalism in the procedures for coordination of foreign policy” (Paul, as cited in Pan, 2015). The emergence of confederalism breaks down into three main features: 1) maintaining a defensive position by the Governments in the institution (as more the regional constraints, the more defensive states get), 2) evolving pattern of a community within the region characterized by “Gesellschaft,” 3) the oscillation between these two, institution and sovereignty. In all three, the states tend to play the game as they want it to be played. This gives the idea of the importance of states and its authority, that intergovernmentalism couldn’t explain (Pan, 2015). According to William Wallace, another scholar of Confederalism, EU as “extra-national” rather than ‘supra-’ or ‘international’ plays a role alongside the nation state- rather than below them or above them. Therefore, the member states have formed a community in Europe that supports the national activities and assists the member states in bettering the national goals rather than replacing them in exchange of cooperation within the states (Pan, 2015). This sets

confederalism apart from Intergovernmentalism building on its core concepts to explain European Integration.

One of the key features of Joint Decision Trap model drawing upon from the concept of “interlocking politics,” one of the ideas of comparative politics. It looks into the idea of ‘locked in’ of states into an institution, mostly studied for the interaction between different levels of Government in Germany (*Politikverflechtung*) (Pan, 2015). Based on this concept, the idea of fear of the higher cost upon retrieval from the current position in cooperation and agreements by the states, results in continued membership within that institution and cooperation. This explains the locked in of the states into cooperation or any form. Fritz W. Scharpf takes in references of the relation of federal states in Germany based on their structures and relation with the central government and the patterns of decision making. He compares this form of decision-making process with the EU and thus takes note of two things; interstate bargaining within an institution and the unanimous decision being taken through unanimous voting. While unanimity has been taken as the reason for slower growth in the context of EU compelling them to change to majority voting, in an article that bases its argument taking in the lessons learnt from intergovernmental relations in Scandinavia, argues that the joint decision trap is actually an asset that strengthens the authority of the institution, claiming that it has the ability to threaten its member states with exit (Blom-Hansen, 1999). Through these ideas, Scharpf puts forward the concept of ‘Joint Decision Trap’ (Scharpf, 1988). According to Scharpf, “it is the combination of unanimity rule and a bargaining style which explains the pathologies of public policy associated with joint decisions in Germany and in Europe” and thus is considered an “institutional arrangement” in which decisions and policies are made (Scharpf, 1988).

Thus, the models and the implications of Intergovernmentalism and its modified approaches have never been studied or analyzed in the case of South Asian Regionalism, despite its popularity in the EU. The incorporating factors as shown in Fig 2.1 has been considered while analyzing the theory in SAARC.

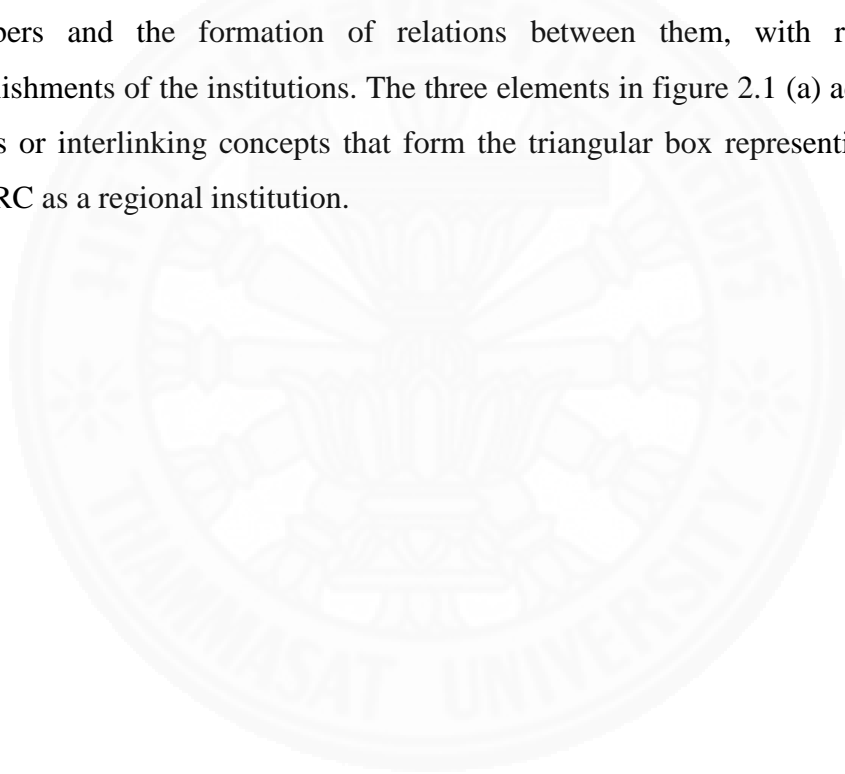


*Figure 2.1* Elements (a) and process (b) of SAARC (to be studied)

As mentioned in the sections above, the study will incorporate basically three internal factors that has defined SAARC as a regional institution: first and foremost, the member states that play a crucial role in deciding matters and areas of cooperation in SAARC; second, the institutional structure through which decisions are made and passed down the hierarchical structure; and third, The Charter and principles where the rules, norms and principles are based on. Furthermore, it acts as a guideline to the functioning of the institution helping in regional cooperation. All these elements determine the role of SAARC as a regional institution in managing the inter-state relations amongst its members, as described by figure 2.1 (b). There are two important aspects to notice here:

First, the institutions and its regimes as explained in section 2.1.1 and 2.1.2 are crucial to build upon cooperation but are rarely studied in-depth in SAARC. Second, as figure 2.1 (b) shows, one cannot determine the success or failure of a regional institution based on only how the inter-state relations affect the organizational role/capacity, but also depends on how the institution take it or react to it. Basically, it's a two-way route, where there has been massive shout out to one (former) and less identification or realization to the latter one.

On a similar tangent, the three things identified in the triangular figure reflects on the key pointers explained by Stanley Hoffman through Intergovernmentalism theory while explaining the EU regionalism phenomena. While taking in the context of critics of Intergovernmentalism to be narrow and extremely focused in nation-states and nationalistic behavior displayed by them, new theoretical approaches have emerged to explain it further justifying the arguments of Intergovernmentalist (Theory of Confederalism and Joint Decision Model). This in addition also looks at the different elements reflected strongly by/in the SAARC Charter and its principles, and in-turn explains the cooperation process between the members and the formation of relations between them, with respect to the establishments of the institutions. The three elements in figure 2.1 (a) acts as the three pillars or interlinking concepts that form the triangular box representing the role of SAARC as a regional institution.



## **CHAPTER 3**

### **SAARC AND ITS MEMBER STATES**

The previous chapter discusses the scholarly review that highlights the challenges of SAARC as a regional institution in cooperation and the importance of regimes in an institution. Taking this as a base, Chapter 3 focuses on the elements of regimes emphasized by scholars in the review that would determine the strength of the institution. This would help us understand its reflection on the role of SAARC in the region. The elements focused here are the regimes determined by its norms, rules, principles and decision-making procedure in SAARC. The sections and the sub-sections below talk about the ingredients that has made SAARC the way it is today. Thus, it takes into account the Charter mainly, that enlists the rules, norms, principles and roles and responsibilities of each organ in the institutional/organizational structure; the summit, (stated as Article III in the Charter) that attempts to formulate the activities, plans, and projects through the final decision made by the Heads of the Government of the member states; and finally a brief background of the historical formation of the member states, that do play in defining the role of SAARC as a regional organization in South Asia. In support of understanding the elements, it thus becomes important to know the background on which SAARC, as an institution, was defined and introduced in the region along with how the regimes were built with a hope to balance the power dynamics, build upon the trust issues through cooperation, collaboration and mutual assistance wherever needed.

#### **3.1 Overview on South Asian regionalism**

The establishment of SAARC was not a decision made in a night. Prior to its establishment in 1985, there were many actions and attempts by the South Asian countries to form a regional alliance. These attempts and actions have in turn determined the way the SAARC Charter was drafted, reflecting the dependency of the institution itself on the way they see their environment and the way they feel about it. One reason for this is the external pressure created by the colonizers in the past and the present situations that is reflected by the conflict between the two superpowers during

the cold war. As just emerged from the colonization, the countries grew cautious of its surrounding environment. Second, in particular to South Asia, the geography played a strong role in influencing the formation of regional alliances. Third, these two factors combinedly played a role in shaping the intraregional relations, including the inter-states, within the region. All these three factors; history, geography and diffusion of power, have set up the environment in which SAARC strives in today. Thus, it becomes crucial to understand the regimes in which SAARC was built on through these three factors, elaborated through the sub-sections below.

### **3.1.1 External power dynamics**

In Asia, the formation of regional institutions was rather late than compared to the west. One accounted reason for this is their late independence from the colonizers in the west. This had an effect to how they consider the territories surrounding them and further led them to prepare in such a way that they could protect their national integrity and pursue their national interest for the welfare of their nation. Simultaneously, following the end of cold war, the other push-factor for forming an alliance was the struggling of the nations with the power competition between the two power blocs- the USA and the Soviet Union. In the light of these two external forces, and further to avoid the influence of these two competing power blocs during the cold war, that was faced immediately by the newly formed independent countries, Non-Alignment Movement was established in 1961 by the Global South, i.e. Asian and African communities in order to check on the influences of the west. The countries, as a result, were mostly bounded by the feeling of national interest and nationalism, rooted their principles in and around sovereignty the most. Their historical experience of colonization and dominance from the west persuaded them to retain their sovereignty strongly as most of them gained independence only after the Second World War.

In the context of South Asia, it was only during the late 1940's, the countries started gaining independence claiming their own national frontiers. Prior to this, since 1600s, four of the member states: East-Pakistan (known as Bangladesh now), West-Pakistan (known as Pakistan now), India and Ceylon (known as Sri Lanka now) were joint together under the British colony until 1947. In 1947, both India and Pakistan got independence from the British colony, while Sri Lanka (name changed after it

became a republic in 1972) became independent in 1948. Likewise, Bangladesh separated from Pakistan and gained independence in 1971, after the Bangladesh Liberation war. As the South Asian countries began development in its own frontiers after their independence, they grew more concerned for the development of peace and security within their country. This developed in them a sense of pride, nationalism, and a strong attachment in their sovereignty. As a reflection of the past, the emotions and independence formed the base of any cooperative initiation taken in South Asia. Similar was the case in SAARC when the Charter was being drafted and its statements starting to reflect on its actions.

### **3.1.2 Geography of South Asia**

The second reason accounted for the shaping of the institution is its geography. The geography of South Asia is unique in terms of each member nations. Where India is the largest of all, it is also the only member connected to every other member in the region, except Afghanistan. Nevertheless, it covers 2/3<sup>rd</sup> part of South Asia. This gives it the power to shape the regional influence in the region, but partly, this also constrains its power where every action by India, is thought to be as a form of domination by its neighbors. As a result, the neighboring countries, much smaller in size and economy than India, started feeling insecure of its actions and behaviors towards them. Consequently, the members hold tightly to its sovereignty with a strong claim to their territories. This feeling of insecurity led them to form a regional alliance in South Asia, thus the initiation of regional cooperation in SAARC and its establishment. However, the behavioral implications of India were felt even earlier than SAARC was formed through different conferences where attempts to form a regional alliance were made.

#### **3.1.2.1 Effects on formation of regional alliances**

Initially, the formation of a regional alliance in South Asia was introduced by the Late Prime Minister Jawaharlal Nehru of India who started a vision of Asian Connectivity between India, Iran, Afghanistan and Burma during the Asian Relations Conference in 1947, the day India got its full independence (Kumar, 2001). This notion of creating a wider alliance in Asia itself was with an aim to develop common policies regarding economic, cultural, trade and military aspects in the region.

Nevertheless, smaller countries in South Asia were not a part of it. The idea soon got dissolved without any implication of the discussions in a pragmatic way.

Following the first effort the power dynamics played by the largest country in South Asia did not stop here. In 1949, a second effort was made at a conference in Indonesia but was again restrained by the Sino-India hostile relations. In addition to this, the South Asian neighbors of India including Pakistan also showed reservations to India's behavior and were skeptical of India's long-term goals. The third time, in the Baguio Conference in 1950 (Philippines), India's behavior was criticized by other members as well. Thus, feeling hesitant to lead, India began to pressurize Indonesia and Sri Lanka to take the lead at the Colombo Conference held in 1954 with Pakistan, Indonesia, India, Sri Lanka and Burma known as Colombo powers. The parties took this conference further to Indonesia with a stronger will of solving different social and economic problems including racism and colonialism and give the colonized nations and international visibility in the Bandung Conference. This initiative of forming a regional alliance in Asia finally led to the establishment of Regional Cooperation and Development (RCD) (Kumar, 2001). Several conferences since then took the concept of Asian Regionalism one step closer to what it is known today.

### **3.1.2.2 Effects on formation of principles**

Taking into consideration these aspects, geography thus played a role in shaping the institution based on the principles of *Panchasheel*. It is here where the influences of India could be massively seen, followed by its actions, behaviors and initiations it originally took. The adaptation of the 5 principles of peaceful coexistence known as '*Panchasheel*': self-determination, mutual respect for sovereignty, non-aggression, non-interference and equality amongst the nation states, was brought about by India that would form a base to SAARC's choices as an institution. The influence could first be seen through its first adoption in the Bandung Conference in 1955. The main aim of the conference was to focus on the collaborative efforts of the Third world countries abiding by the principles of peaceful co-existence and aimed for the promotion of economic and cultural cooperation. It not only imbued the seeds for the Non-Aligned Movement (NAM), but also emphasized on the importance of the intra-regional connections between the participatory Asian states in the Conference. Similarly, the *Panchasheel* principles were also strongly put forward as an aftermath of

the Sino-Indian war that acted as a base to develop a healthy relation between two huge Asian countries.

Summarizing it, geography has been another reason that explains the rules, norms and decision-making structure of SAARC. Here the power dynamics of the largest country could be seen through, and its influences on the base for formation of a regional institution in SAARC could be analyzed. This further signifies the geography of the region that increases the importance of India, as well as determine actions by SAARC.

### **3.1.3 Interstate Relations in South Asia**

Along with these reasons, the third and the one that has most affected the establishment and shaping of the institution as it is today, is the history of South Asia. Acting as a base for these two reasons, the chronological order of the formation of each independent country reflects the need of a regional institution leading to the establishment of one of them. This has been also highlighted by the scholarly reviews in Chapter 2 as the factor of underdevelopment of SAARC. In addition, the study of the historical significance (given below, in brief) and the birth of their relations remain crucial to the study in order to explain the formation of the institutional structure of SAARC. In addition to this, taking in account the cancellation of the recent 19<sup>th</sup> SAARC Summit, it becomes more than necessary to understand the relation of the member states.

This sub-section emphasizes on the member states before their independence from colonizers and after it. It was only after 1947, new borders were formed as a result of the emergence of independent states from the British Colony. The result from the new adjusted borders which was thought to be the beginning of freedom and independence instead brought major political and demographic upheaval in the region. While, the earlier section dealt with the unique features of the region, this section attempts to explain the environment created by the nation states and directs to what led to the realization of forming a regional institution in South Asia. It explains the reason behind the geographic structures and the power dynamics within the region by explaining the emergence of nations in South Asia after 1947 which has shaped South Asia as it currently is.

### 3.1.3.1 SAARC member states tied together

The three (India- Pakistan-Bangladesh) nations tied together under the British colony shared the same history, basically. The culture they followed and religion, was also to some extent similar in a way that one could say they branched out from the same root. After the second world war, when the powers of the west (Europe) fell, huge number of population groups started dividing into Hindus and Muslims in the Indian subcontinent. Amid this chaos, the residents who resided in the region of demarcation suffered greatly where some even found themselves on the wrong side of the border as the migration between Hindu's and Muslims took place. As time passed, the dissatisfaction of East Pakistan to its Pakistani Government (in the West) also gave rise to another struggle for independence resulting into formation of a new independent state to which today we know of as Bangladesh. While this was the case of 'British Raj'-India, Pakistan and Bangladesh- Ceylon (Sri Lanka) gained independence in 1948 from the British but remained under the dominion status of British Commonwealth until 1972 when it became Republic of Sri Lanka. Another member state, Maldives gained independence from British in 1965. Another member state of SAARC, Bhutan was a protectorate of the British. And as India got independence from the British, the new Indian Government also recognized Bhutan as an independent country, free from the British protectorate ("Timeline- Story," 2015). The regional dynamics in the political, economic and social sector began to change after the Second World War. "South Asia- what the British Raj was- included not only what became India, Pakistan and Bangladesh, but also Sri Lanka, Burma and bits of Nepal" (Rose, 2013).<sup>1</sup>

Each independent nation formed their own distinct foreign policy and agendas, with one common direction aimed by the Non-Alignment Movement (NAM) during the cold war. The member states abided by the principles that takes into account non-interference, respect for each other's territorial unity, integrity and sovereignty. Despite the promotion and promising values hailed in the SAARC Charter and during the Summit meetings with an attempt to show a strong aim and determination to

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<sup>1</sup> The text is derived from a podcast between the host, Christopher Rose, Outreach Director of Center for Middle Eastern Studies and the Guest Snehal Shingavi, Assistant Professor of Department of English, University of Texas, Austin posted on 23<sup>rd</sup> January, 2013 by Christopher Rose in "15 minute History", a podcast for student, researchers and academicians.

promote a peaceful settlement in the region, the countries are embroiled in a few of the most intense political issues like territorial issues, maritime skirmishes, War on Terror and, above all, the current trend of nuclear proliferation issues between the two giants in South Asia itself (India and Pakistan) ever since it formed boundaries. These disputes remain the “heart of conversation” each time the organization would want to progress for a stronger cooperation. Amidst all conflicts, the geopolitical conflicts have mostly raised security concerns in the region allowing the member nations to put their national priority first than others.

The following section aims to give a bigger picture of how the relations were shaped after the countries gained independence and attempts to understand the challenge to stabilize and/or promote the regional cooperation amongst the nation states that lay till today. This would help to understand the overall background of the study and the hurdles to which SAARC has been unable to solve or smoothen the relation.

### **3.1.3.2 Changed relations after independence**

The early formation of relations amongst the member states reflects on the institutional structure and the principles that SAARC now hold. The section takes the basis of territorial situation or geo-politics laying a ground to understand the significance of geography in South Asia. Starting from the relations between India and Pakistan (Kapur & Ganguly, 2010), the section moves to explaining the relation between other countries and how has it affected the inter-state relations as of now in South Asia. As India shares the common border with most of the member states, the relations are often dealt with India in the context itself. It becomes involved even though, if it does not want to. The explanation below first takes in the stance of territorial disputes, followed by maritime dispute in the later half.

The most talked about issue- the India-Pakistan conflict has been present since the founding of the two countries in 1947. Ever since the partition, there have been the emergence of four Indo-Pakistan war along with other low intensity conflicts that has been taking place every now and then in the borders of the two countries. The major dissatisfaction arose from the border placement between the two countries, a territorial dispute that have led to severe animosity starting from the conflict over the control of the territory of Kashmir (Khan, Shaheen, Tanveer & Tanveer, 2007). The last British viceroy in India, Lord Louis Mountbatten, decreed that the ruler of the

princely states in the “British Raj” would have to join either of the partitioned nations based on their geography and religion, i.e. Hindu or Muslim. All of the princely states made their choices, except the rulers of *Junagadh, Hyderabad, and Jammu and Kashmir*. *Junagadh and Hyderabad* were ruled by a Muslim with Hindu population. While, *Jammu and Kashmir* were ruled by a Hindu king and had Muslim population in majority and Hindus in minority. Thus, the king unwilling to compromise, hoped to create its own independent state (Kapur & Ganguly, 2010).

### **(1) The four wars (India-Pakistan)**

The first war escalated from a smaller conflict by an independent tribal rebellion in the west of Kashmir with the support of the Pakistani Army, until an ‘Instrument of accession’ was signed between J&K and India. Being acceded to India was one of the conditions of Nehru (India) to agree to the appeal made by the king of J&K to help save Kashmir to be taken by Pakistan. It was later held at ceasefire, following the advice of Lord Mountbatten and taken to the United Nations Security Council. In January 1949, a ‘Line of Control’ was imposed between the two-thirds of J&K by India and one-third by Pakistan (Kapur & Ganguly, 2010).

The second (in 1965) was led by a compendium of events such as the increment in the infiltration of Pakistani troops in Kashmir, internal political instability in India followed by death of PM Nehru. In addition to this, India was willing to report a border dispute along the lines of Gujarat that links to the Sindh Province of Pakistan led under the “Pakistani military dictatorship of Ayub Khan” (Kapur & Ganguly, 2010; Rahman, 1986). The war was fueled with an aim to take over the portion of Kashmir in India through ‘Operation Gibraltar’ and ‘Operation Grand Slam’ aimed at removing the connections of India from J&K. India too replied with a powerful attack on the Pakistani city of Lahore. The 17 days of dispute finally reached a stalemate and then a ceasefire by the diplomatic intervention by the power blocs (USA and Soviet Union) under ‘Tashkent agreement’ that the countries would return to its own status quo and would renounce the use of force in settling any kind of dispute. It was the first war with most armored machines used ever since the Second World War (Kapur & Ganguly, 2010; Rahman, 1986).

The third war led to the emergence of another independent country in South Asia, i.e. Bangladesh. As a result of the internal dissatisfaction by East Pakistan, displayed by

its leaders, a small conflict rose which quickly escalated into a civil war when actions were taken by West Pakistan resulting in violence, slaughtering of intellectuals in East Pakistan and increasing number of refugees seeking refuge in India. When the number of refugees in India exceeded beyond capacity, it decided to intervene by backing up East Pakistani forces. This resulted in retaliation by the West Pakistan and soon triggered a full-fledged war between India and Pakistan. The growing force of India weakened Pakistan. Despite being from the same religion, the East and West Pakistan had a vast geographical distance with different language and ethnicity which fueled up the dissatisfaction between them. In 1971, after a ceasefire was held, a new, independent South Asian country in the name of Bangladesh emerged.

The fourth war didn't take place until 1999 when the dissatisfaction of Kashmiris against the Indian authoritarian rule in Indian-side Kashmir triggered; one major reason was to dismiss or transform the powers of Kashmiri leaders and centralize it to New Delhi. The frustrations turned into enagement when the Kashmiri National Conference and Indian government tried to manipulate the result of the Kashmiri state assembly elections resulting in the outbreak of violent insurgency. Pakistan was not involved in any of these events but would neither miss out its chance. Thus, it supported the conflict by its military and provided the forces with arms and trainings across the Line of Control. The war was commonly known as Kargil war as the Indian Territory mostly in Kargil district was occupied by Pakistanis.

## **(2) India-Bangladesh<sup>2</sup>**

The problem of Bangladeshi enclaves in India and Indian enclaves of Bangladesh started raising security concerns which was prominent until 2015 after the parties signed the agreement for the sake of prosperity. Each country struggled to maintain the relationship in a positive way as problems like these started arising after the partition of India and then again after the separation of Bangladesh with Pakistan. It was only on 31 July 2015, the enclaves were exchanged (162 enclaves in total) as it lay in the wrong side of the boundary (Indo-Bangladesh border). "The world's only 'counter-counter-enclave': a patch of India surrounded by Bangladeshi territory, inside an Indian enclave within Bangladesh" as 'The Economist' referred to it, stating this as the world's most

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<sup>2</sup> This becomes important to SAARC as at a geographical level, Bangladesh is surrounded by India in all its three-side forming a U-shaped shared border with India.

complicated boundary (T. J., 2015). It was predicted that only after this, the two countries can successively focus on other important issues. This issue was important as freeing the enclaves not only was concerned to the land boundaries but also gave rise to issues particularly to rights of people in the enclaves including their accessibility to basic needs.

The construction of barrage in the Farakka River by India could be analyzed as an influence of India over Bangladesh. Farakka that flows from Ganges River facilitates both India as well as Bangladesh. It becomes important to look and learn at the power dynamics along the lines of geographical features between these two countries. Bangladesh is a lower riparian country and India an upper riparian, meaning a country situated at lower basin and upper basin respectively. When India constructed a barrage to divert water for a clear and smooth water supply it overlooked the effects to Bangladesh as the lower riparian country. Bangladesh, with 60% of the population as farmers relying on water for agriculture and 80% of a Bangladeshi diet relying on fish from these rivers, was drastically affected with the decreasing quality of water due to increased sediments formed from the construction and diversion of the water (Lovelley, 2016).

### **(3) India-Nepal**

Geographically, areas in dispute between Nepal and India are Kalapani, Susta and Lipulekh, mostly where the borders are formed by the rivers. However, these conflicts do not have a direct impact on SAARC, but since India shares an open border with Nepal, it has been often felt that the blurring border between the two country does not quite protect the national frontier and independence of the country. This remains hidden with other conflicts that majorly concerns human rights issues within the border and interference of India in Nepalese politics through influence. There is a feeling of hostility and insecurity towards India as reflected by the Nepalese people. The brotherly figure that India sometimes becomes the factor of concern when it tries to overdo through its actions that has been taken as a domination of a larger country to its smaller neighbor. The recent example being creating an influence in the constitution of Nepal through boycotts.

#### (4) Pakistan-Afghanistan

In its borders, 'Durand Line' was drawn by the British and has been troublesome ever since the partition. The line has not only endangered the country's sovereignty but has also raised security concerns due to illicit drug practices, illicit trade and trafficking goods across the lawless border. Prone to terrorism, both the areas blame each other for it. A misunderstanding of the 'Durand Line' by both the countries create a problem here; while Pakistan claims it an international border, Afghanistan claims it an artificial border drawn by the British and will continue to "highlight the unsettled and disputed nature as the root cause of the deteriorating Afghan-Pakistani relationship" (Akbari, 2019). Here too, as we can see, the misconception between the countries play a major role in determining its relation.

Along with these territorial issues, maritime border security has caused strains on relations between member states too.

1. India-Pakistan: This maritime boundary lies between Gujarat state of India and Sindh province of Pakistan formed during the partition period separating Gujrat in India and Sindh in Pakistan. Here too misconception of law takes a toll as India terms the borders as based on international law where the mid-channel of the rivers are the international borders between countries; while according to Pakistan this is not applicable to tidal waters due to rapid changes in tide and it is the part of Sindh. In addition, the weakness also lies between the two contradictory points as mentioned in the treaty (Dabas, 2016). The "paragraph 9 of the Bombay Government Resolution of 1914 signed between the then Government of Sindh and Rao Maharaj of Kuch states that the boundary between Kuch and Sindh lies 'to the east of the Creek,' which effectively implied that the creek belonged to Sindh, Pakistan. On the other hand, Paragraph 10 of the same treaty states that since Sir Creek is navigable most of the year, according to international law based on the Thalweg principle, a boundary can only be fixed in the middle of the navigable channel, which meant that it has to be divided between Sindh and Kutch, and thereby India and Pakistan. India uses this para to consistently argue that the boundary needs to be fixed in the middle of the creek." After 1969 until 2012, 12 talks has been held regarding this issue and there has been no conclusion yet (Dabas, 2016). However, it adds up to the constrained relation of the two countries.

2. India-Bangladesh: Here the relation deals with the Bay of Bengal which both countries claim. While India was opting for a more equidistant border, Bangladesh opted for a more equitable access to resources. It was only after 40 years of ‘silent’ dispute, Bangladesh won over the issue based on the terms of United Nations Convention on the Law of The Sea (UNCLOS) (Rashid, 2008). However, it becomes important to the study as it falls as one of the reasons for Bangladesh seeking regional alliances.

The table below shows the issues that has halted the regional cooperation to some extent. However, the issues are more than the one mentioned above and summarized in the table, to which, due to the time limitation, the study has not rightfully incorporated it.

*Table 3. 1*

Territorial/maritime dispute in South Asia<sup>3</sup>

<b>Member states</b>	<b>Maritime/Territorial Issues</b>
<b>India-Pakistan</b>	Jammu & Kashmir Issue Sir Creek
<b>India- Bangladesh</b>	Issues of Enclaves Bay of Bengal Construction of the Farakka Barrage
<b>India-Nepal</b>	Kalapani border, Limpiyadhura, Lipulekh Pass
<b>India-Nepal/Bhutan</b>	Open Border Issues
<b>Pakistan-Afghanistan</b>	Durand line

Situations other than the territorial conflicts such as the internal strife between Tamils and Sinhalese in Sri Lanka that soon resulted in inter-state conflict, after Indian Government showed a particular interest in one of the groups (Tamil's) or India's intervention in Nepal's politics has also had a direct impact on the

<sup>3</sup> There are more enlisted disputes other than the one mentioned in the text and briefed in the table. However, these are the issues that have taken the limelight in terms of territorial boundaries and has affected the regional cooperation in one way or the other.

economic relations between the countries like an economic blockade in Nepal (1970, 1989 and 2015) and another blockade in Sri Lanka and boycotting the 1991 summit in Colombo by India (Khan et al., 2007). Similarly, other issues like refugee problem between Nepal- Bhutan, Bangladesh-India or Afghanistan-Pakistan has also tampered relation in one way or the other as the countries lay in closer geographical proximity. These events have paralyzed the institutional mechanisms if it is to re-address the problem regionally, through mentioning in the Charter that bilateral issues are not taken under consideration by the institution.

Even though the physical territorial boundaries, along with other smaller issues have built misconceptions and raised concern to security between the states, SAARC has been prohibited to interfere due to its policies of non-interference and mutual respect to sovereignty; also two of the principles in *Panchasheel*. The principle, as we go through the study, is further abided through the articles that excludes bilateral and contentious issues, meaning only the issues as chosen by the states will be taken into consideration in SAARC. These questions the effectiveness of SAARC as a regional institution. In addition to this, when taking the context of geographical proximity, it becomes even more difficult to ignore as the members are connected physically with only another one-member country, meaning the boundary of the state is shared with only one-member country at a time. The inability to manage these situations have been highly criticized and termed as the reason of SAARC's inactivity, even while there has been increase in agreements. However, there have been only a few associations that mentions SAARC's inability to perform its functions or which draws a boundary for its actions.

In addition to these issues, there are other issues as well that has not yet caught the limelight of the underdevelopment of SAARC but has well created the environment of suspicion and lack of trust within the member states. As depicted by the interviewee, the lack of trust and willingness are another reason, SAARC hasn't yet much developed as an institution. With this it can be assumed that the member nations prioritize their national security than the institutional development reflected in SAARC.

### 3.1.3.3 Current inter-state relations

Despite collaborative projects and/or activities implemented through negotiations, agreements and treaties, the effects/empathy from the relations are still in place. One of the major highlights of this was the postponement of the 19<sup>th</sup> SAARC Summit. The summit was first boycotted by India allegedly accusing Pakistan's involvement in the terror attack in Uri, Kashmir. The boycott was supported by Afghanistan, Bangladesh and Bhutan, despite Pakistan denying it leading to the cancellation of the summit (Boone & Safi, 2016). Similarly, the most recent 'Pulwama' attack just a few months ago (in February 2019) that led to the death of at least 40 Indian paramilitary soldiers further worsened the relations between the two and disturbed the security aspect of the whole region with all member states coming together an impossible goal ("Kashmir attack," 2019). Further misunderstanding developed as India blamed Pakistan to secretly have provided those weapons and training. However, Pakistan denied it by furthering its hand for a peaceful cooperation by returning the captured India soldier during the airstrikes followed by the attacks in Pulwama (Tandon & Slobodchikoff, 2019).

Followed by such recent attacks, the security in the borders (land and sea) have created further insecurity. Taking a defensive position by the states, the summit was cancelled as a protest against Pakistan's involvement in terrorism. This has not only triggered the hostile relations between the two countries but have spread the fear of terrorism within the region as well. With such a complicated history when summits were being held as a symbol for regional cooperation, the factors of national interest and national security has become prioritized rather than strengthening the regional institution.

Along with the initiations of SAARC for boosting regional cooperation several mechanisms including treaties and agreements between the countries, the UN has additionally has set up a commission after the partition as requested by India called United Nations Commission for India and Pakistan (UNCIP) and established United Nations Military Observer Group for India and Pakistan (UNMOGIP) in the 'Line of Control' for settling conflict specifically for the Kashmir issue (Kapur & Ganguly, 2010). Besides this, even though the bilateral issue hasn't once been raised directly in the SAARC Forum with respect to the SAARC Charter Article X, the Head of Pakistan

hinted about the importance of conflict resolution between the member states. H.E. Maj. Gen. Qasim Qureshi, the Pakistani High Commissioner to Sri Lanka, also has noted Kashmir issue to be a hurdle that has not only jeopardized the relation between the two states but has disturbed the development and peace of the region. He further added that the development of other regional organizations like ASEAN, which has been emerging as a powerful organization despite its colonial past, and the EU, which has been the epitome of regional institution or rather ‘union’ despite the two devastating wars, can well serve to be a role model for SAARC’s economic integration. He noted that, “SAARC, if made more effective could also become an engine for growth for South Asia, which will be possible only after the resolution of the Kashmir Dispute” (The High Commission of Pakistan, 2014).

Despite its importance for being the only regional organization with all South Asian countries as its member, the talks of SAARC being replaced by other regional and sub-regional organization like BIMSTEC (Bay of Bengal Initiative for Multisectoral Technical and Economic Cooperation) and BBIN (Bangladesh-Bhutan-India-Nepal) has been highlighted by the media. As outlined in the previous sections about the diversity and adjoined history, the external factors remain very strong in South Asia with a strong inclination to the country’s sovereignty. To tackle this, looking inside the institutional elements that shape up the institution and plays the role or should have played the role in mitigating conflicts within the region remains crucial. This is important more so when there is lack of in-depth analysis and proof that the institution itself is bounded by the regimes so created by the member states based on their own willingness and in a way that does not yet hinder their ‘national’ identity, authority, sovereignty and helps pursuing their interest. This factor is brought out by the next section that explains how the Charter and the Summit as the framework of SAARC is bounded by the making of its member states.

### **3.2 Formation of SAARC**

SAARC was established as a hope to bridge the gap and sort out the differences between the members. The establishment was signified with the signing of the SAARC Charter to which the members hailed on promising to abide by the

principles whenever a plan, programme or an activity is drafted or implemented and during the discussions (or the decision-making processes). Initially it was signed by the Heads of the State of 7 nations, by the representatives of each member as a declaration to the establishment of a regional organization in South Asia. Later in 2007, Afghanistan joined in as a new member accepting the principles and Charter of SAARC at the 14<sup>th</sup> SAARC Summit. Meanwhile, it is interesting to know that SAARC is the only regional organization which has its members less than its (9) observers: China, the European Union, Iran, Japan, South Korea, Mauritius, Myanmar and the United States of America (SAARC, 2018).

The institutional setup of SAARC is solely based upon the principles of non-alignment upholding respect to the principles of “sovereignty, national independence, territorial integrity, non-interference, non-use of force and peaceful settlements in disputes” in its declaration to conduct all activities within this framework; the principles of *Panchasheel*, as explained in the first section of the chapter (SAARC, n.d., Annex I). The following segment will attempt to explain the loopholes in the Charter, and the summit that reflects on the regime of SAARC resulting in its inability to fulfill its role.

### **3.2.1 The SAARC Charter**

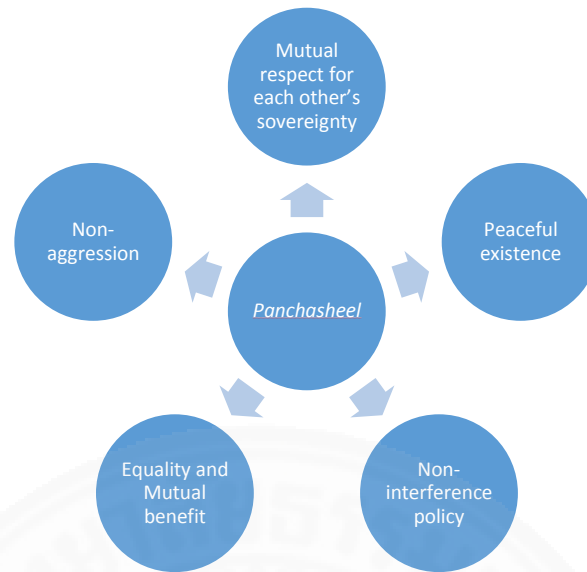
The first article of the Charter (Article I) reflects upon the goals and objectives of attaining the development of South Asian region through building upon mutual trust, understanding and appreciation amongst each other. As the SAARC Charter is taken as the guidelines to SAARC to fulfill this objective, it emphasizes on cooperation and collaboration in economic, social, cultural, technical and scientific fields, based on common interest of the member states. It covers the issues related to welfare activities mostly and the soft-core activities like building up on cultures of the countries to build up on trust and confidence amongst the member states but avoids collaboration and/or discussion on hardcore political issues. This has been one of the ideas opted by the member states to focus on welfare; social, cultural and economic, but not the political sphere, be it interfering or abruption to each other’s policies and politics. This in turn is supported and abides by the second article of principles, the norms and rules that must be strictly abided by the member states.

### 3.2.1.1 Principles

*Panchasheel* reflects on the 5 principles<sup>4</sup> used as an instrument or rather a shield to advance the national interests of the countries, their core priorities during the mid-1950's while also boosting their cooperation with other countries. It was first put forward during the Sino-Indian relation to foster inter-state relations between them, while it gained popularity during the Bandung Conference and NAM movement that reiterated the five virtues of peaceful co-existence: the 5 principles. These principles (Figure 3.1) are given the name "peace principles" as it plays a role in governing international relations across different countries as a way to promote world peace and peaceful developments globally (Panda, 2014). To this aspect, it becomes interesting to know that the principles were first advocated by India in SAARC. Here the power politics played by India can be clearly analyzed. Meanwhile, interestingly, after the principles were carried forward by SAARC, it has been violated by India under some aspects that deals with non-interference, and respecting others sovereignty. This form of power politics in South Asia can also be analyzed by the number of boycotted summits by India where in some cases it takes a firm stance influencing on the political situation of other member countries. For instance, India's interference in Sri Lanka's 1980's Civil war after the formation of SAARC. Second example noted was in Nepal when it indirectly interfered in the constitution making process in 2015. To this a news article writes, "the Foreign Secretary of India held discussions with the Heads of the Government of Nepal and is believed to have pressed the Nepalese Government to delay the adoption of the constitution" (Majumder, 2015). Similar can be seen in the recently cancelled 19<sup>th</sup> SAARC Summit.

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<sup>4</sup> "Mutual respect for each other's territorial integrity and sovereignty; Mutual non-aggression, Mutual non-interference in each other's internal affairs, Equality and cooperation for mutual benefit and Peaceful co-existence". (DasGupta, 2016)



*Figure 3. 1* The 5 virtues of peaceful co-existence (Panchasheel)

The above given 5 principles reflect the norms stated in Article II of the Charter. ‘The principle of non-intervention and respect to territorial borders’ (ANNEX I) does not seem to be much effective when the member state themselves are not able to come to a consensus about the same borderlines or are unable to control their own borders (especially maritime borders), as stated above. While it is also stated that the regional cooperation does not necessarily replace any other forms of cooperation between the states, it does not have the authority to intervene in the cooperation until the members themselves want it. Neither does it allow any other countries who would help in boosting the cooperation to intervene. In the context of SAARC, for an example, even though the issue of J&K has been raised a multiple time, it has been avoided claiming it to be more of an internal/bilateral issue and has been considered an issue of breaching once sovereignty and/or territorial independence. It is realized, but never attempted to solve the issue on hand. To this aspect, the non-intervention, and sovereignty policy has clearly stagnated the development of SAARC. As member states decide everything concerning their national security, including even the decision-making that is based on their national pursuits. The decision based on the sovereignty and non-intervention allows members to only think of themselves first, rather than thinking collectively. Only if the decision does not hinder their national identity and national preferences, it is further negotiated. Usually, standing onto its own

sovereignty, protecting or defending one's position first is not a hurdle, but when the decision gets hindered it affects the smooth functioning of SAARC.

Meanwhile the other principles are also taken into account while any actions or policies are negotiated under the mechanism of SAARC. For instance, the member states have taken in special consideration for least developing countries in the region in terms of economic negotiations during the SAFTA agreement. With an aim to boost intraregional trade, the tariff reduction scheme introduced by SAFTA is different for Least Developing Countries (LDC) and non-LDC Countries. For non-LDC members, are required to reduce tariff by 20% in the next 3 years and 0-5% in the next 5 years, while for LDCs, the tariff reduction rate is 30% in next 3 years and 0-5% in next 8 years. This is done mainly with the motif to reduce the inequality and development gap between the members (Weerakoon & Thenakoon, 2006). Similarly, the non-aggression principle was brought forward as the reason by the members when the 19<sup>th</sup> summit was cancelled. Due to its significance the event has been taken as a case study to analyze and the details explained in the end of the study in chapter 4, the last section. It analyzes the significance of the summit, the reason for cancellation depending on the diverse perception or reasoning of the member states and the role of SAARC played in and after the cancellation of the event.

### **3.2.1.2 SAARC Summit (ANNEX II)**

SAARC Summit, even though holds the highest authority, is frequently halted by the actions and decisions of the member states either due to their internal political struggle or due to the concern of one's national security. The SAARC summit, given in brief in ANNEX II, acts as a platform to display their unity and progression of the activities, plans and programmes conducted in South Asia. As an intergovernmental set up within the institution, SAARC's highest authority lies in the Summit which is in turn led by the Heads of the member states. These are comprised of meetings by the Heads and are supposed to be hosted every year. Amidst the environment and boycotts over the year, the members have come to realize the difficulty in conducting SAARC summit every year and now it is conducted either annually or biennially. It becomes the responsibility of the hosting member states to appoint next Chair of the next summit with the dates. In his acknowledgement, published in the book by *Rastriya Samachar Samiti*, a National news Agency, the Late Prime Minister of Nepal- Late Sushil Koirala

mentions SAARC Summit as an integral part of the origination, development and further expansion and therefore considered a ‘big foreign policy event’ (Rastriya Samachar Samiti, 2014). This reflects on the importance of this article and the Summit of SAARC. As mentioned in the SAARC information pamphlets “the key outcome of the SAARC Summit is the Declaration.” A *declaration* is convened of joint decisions made in the meetings with suggestions and advices to be emphasized or added for a deeper cooperation of other sectors assigned by the members and/or to strengthen the existing one (SAARC Secretariat, 2018). The cooperation is, thus, assigned by the members and is therefore limited to only the selected areas.

All the decisions made, accomplishments achieved, and the designations created were implemented around different time as per the need of the Heads of the Governments of the member states. Thus, each summit focused on a certain aspect including the addition of new areas of cooperation and improving the activities, programmes, projects and mechanism within SAARC itself. The main aim of the summit highlighted to promote people-to-people interconnectedness and create awareness amongst them about the prospect of regional cooperation. A number of key areas including combatting terrorism, drug abuse, fostering people-to-people contact encouraging civic engagements and pursuing nuclear disarmaments within the region is repeatedly mentioned and explored within the region. Despite expressing grave concern about the accelerated arms race including nuclear weapons since the first summit, we can notice that the two biggest members of the region are considered as the nuclear powers themselves. This hasn’t been raised as a major issue in the meetings yet, and as a result, this puts the region into grave security concerns. And, the member states feel it, but never could mention it, as it is the two largest members who are nuclear capable. This shows the progression of SAARC as a regional institution through the initiatives taken in sectors of social, economic and environment concern. It gives the members a reason to bind themselves and work together for the common goal and interest.

The other areas of cooperation include, through financial arrangements, conventions and agreements, SAARC apex bodies and some other recognized bodies (ANNEX III). The member states as a result of the combined effort also has established regional centers to foster development in certain areas pertinent to

development. One of the important establishments was in the second summit that saw the establishment of SAARC Secretariat and their decision to assist the coordination and implementation of activities. The summit also touched upon pertinent and sensitive issues like rights of Children, prevention of terrorism and drug trafficking and drug abuse, control in nuclear armaments through comprehensive test ban treaty and so on. As the meetings take place, there is the newer addition of agendas incorporating activities, bodies and agreements with new ventures of modifying the old one. These were the newer addition to the Integrated Plan of Action (IPA) along with the approval of increased social activities regarding knowledge sharing, information and communication like exchange of academicians, students, planning to launch a South Asian Broadcasting Programme, and consideration to the role of youth and volunteers.

Overall, the summit displays inclusiveness and equality through its approaches. However, it sees cooperation and discussion only in softer areas depending on the (un)willingness of members to discuss any hard-core issues in the region while trying to avoid conflict or disputes. The member's fear that with the feelings of hostility, if revealed, will hinder the existing project and/or cooperation. Therefore, in order to keep the benefits going, even at the minimal level, the contentious or hard-core issues are left out of track. In case the member states feel a little insecure, they refuse to join in together. This can be depicted by the boycotts of the summits. Not only once, but many several times.

The majority of the summits didn't take place on the dates they were mentioned to happen. In about 35 years of establishments there have been only 18 summits so far. The years the summit has been cancelled are 1989, 1992, 1994, 1996, 1999, 2000, 2001, 2003, 2006, 2009, 2012, 2013, 2015, and 2016. Most of them were cancelled due to the hostile relations among the SAARC members: the political and security issues between Sri Lanka and India took toll during the years 1988-1991, then after, the 1991 summit had to be cancelled on the spot when the King of Bhutan expressed his unavailability due to domestic political instability in Bhutan. The 7<sup>th</sup> and 8<sup>th</sup> summit had to be postponed by Bangladesh due to the unstable security in Bangladesh expressed by India (7<sup>th</sup>) and India on the 8<sup>th</sup> due to Kashmir problem posed by dissatisfied Kashmiris of India's rule. Similarly, in 1996, another summit was cancelled due to India-Pakistan relation that reflected in cancellation of another summit

in 1999 (*reason: the Kargil war*). After 42 months, the eleventh summit was held in 2002. Cited in an online article, the reason for this delay was, “India did not want to sit with Pakistan” in the 11<sup>th</sup> summit meeting (Balachandran, 2018). The 12<sup>th</sup> and 13<sup>th</sup> summit was postponed again by India stating that it would agree to participate only when Pakistan would progress in Trade liberalization, while expressing its dissatisfaction to the King’s ‘undemocratic actions’ in Nepal (2005), respectively (Balachandran, 2018). Analyzing these delays, the members re-arranged the annual meeting of the summit into a biannual meeting. The boycott of the summit mostly started by the largest member of the organization clearly shows the power dynamics and the question of national security as the utmost priority to the region. In addition, the breaks in the summits were rather the choice of the individual member states, reflecting its power in the decision making of the organization. Consequently, this links to other articles, the summit can be held only when all eight members agree to participate in it and hold the decision, unanimously. Apart from the members not willing to cooperate another article of unanimity (discussed in the later part of this chapter) does not allow the remaining member states to sit together and come up with new and dynamic ideas and events.

This determines the power of each member states, and even more, the power of the largest member states within SAARC, highly influential to the functioning of SAARC as a regional institution. It emphasizes on the requirement of being united; plus, on the other hand, it displays a constraint where the members can’t involve itself in progressive decision making. Along with the power dynamics, its combination with the articles is the main hurdle for the progress of SAARC as a regional institution and further blocks it to achieve its goal of forming a common stance of “South Asian” Community.

### **3.2.1.3 The organizational structure: ARTICLE IV-X**

As mentioned in the previous section, the highest power lies in the Council represented by the heads of the states. In SAARC, the power flows through the hierarchical structure where the Summit is followed by the Council of ministers, Standing Committee, Secretariat, Technical Committee, Programming Committee and so on, as depicted in Fig 3.2. The Article IV to VIII reflects the roles and responsibilities

of individuals representing the member countries ranging from ministers to experts and academicians working in a group.<sup>5</sup>

The highest authority given to the Council of Ministers- CoM (Article IV) is comprised of Foreign ministers or Ministers of External Affairs representing each member states. They are responsible for formulating, structuring and reviewing the policies and progress in relation to the cooperation between the states. This includes determining the area of cooperation and the mechanisms to deal with it. These ministers are further facilitated by a line of foreign secretaries of the member states comprising of the Standing Committee (Article V) in SAARC. The role is to monitor the cooperation and coordinate with the programmes approving the modalities, processes for financing the projects/programmes and mobilizing the resources. Following the Standing Committee is the Programming Committee,<sup>6</sup> Technical Committee (Article VI), Action Committee (Article VII) and then working groups.<sup>7</sup> Article VIII mentions about enlisting the Secretariat whose role is to “coordinate and monitor the implementation of activities and to service the meetings of the association” (SAARC Charter: Article IX). However, its power remains limited as they are placed under the level of Committees that include representatives from the member states (i.e. under the Standing Committee and the CoM) and is responsible for building up network at the international forum, even though the highest authority in the institution is held by the Secretary General and the Secretariat.

All in all, the structure in SAARC is represented by a hierarchical decision-making process where the roles and responsibilities of each body is segregated and out of which the highest point of authority lies in the hands of the Council of Ministers. To this, the institutional structure is taken as a framework for the development and smooth functioning of SAARC but, at the same time, also criticized with the hierarchical rigid structure.

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<sup>5</sup> Each role in brief is enlisted in the SAARC Charter, and therefore abides by it fulfilling their own roles and responsibilities as described in the Charter.

<sup>6</sup> Not present in the Charter, as was later included.

<sup>7</sup> The Working group was also added later aiming for smooth implementation within the institution.



*Figure 3. 2* Decision-making mechanism in SAARC

These committees and groupings segregate the agreement and conventions in order to proceed with rules, terms and policies for the effective implementation of the projects and programmes with an aim of sustainable output. Along with this, there are other specialized bodies and Regional Centers that carry out special mandates and act as “centers of excellence in specialized areas” respectively to carry out regional cooperation between the member states. Specialized bodies are represented by SAARC Arbitration Council, South Asian University, SAARC Development Fund and South Asian Regional Standards Organization, and Regional Centers constitute of SAARC Agricultural Centre, Tuberculosis & HIV/AIDS Centre, Energy Centre and Cultural Centre established at different times of the SAARC Summits based on consensus (ANNEX III) (SAARC Secretariat, 2018).

The final article (**Article X**) separates itself from rest of the articles and lays an important background-rule by highlighting the avoidance of bilateral and contentious issues between the member states. This article, as mentioned several times in the sections above, separates the political with socio-economic and cultural issues,

and cooperation between them, limiting the areas for the regional cooperation to foster. The important aspect to note here is that the members ‘choose’ which areas they want to cooperate and which to leave out or the areas they feel to not merge or mix with other South Asian nations, as each aims onto build the Asian uniqueness that each has. However, this starts becoming a constraint when an important issue gets sidelined by the member states and becomes more challenging when it starts spilling over to other areas of cooperation and relations with other members. This, unfortunately, allows the member states to split between areas of cooperation based on their convenience and need and so is seen frequently in SAARC. For example, the issue of non-intervention is one of the main principles in SAARC and must be addressed with a solution if any action is made in violation against it. However, this has been sometimes hidden away when any one of the nation’s interferes in the other members business. One of the cases was India’s interference in Nepal’s constitution, or when India brings out its pessimistic feeling of Pakistan and plays it through the boycott of the summit (earlier to 19<sup>th</sup> summit). When things like this pile-up, the trust issues with each other start to degrade and hinder the long term of cooperation.

The second clause states that any decision so made by the member states regarding cooperation requires the judgement of all 8-members to move forward. This clause encourages them to act cohesively in all directions but not in the one they feel insecure about and unwilling to collaborate. Either they must be willing to compromise with the areas or seek for one’s national welfare by negotiating with other members for their own preferences. This can be seen the reason of summits being cancelled if even one member cancels it. Here, we can analyze the power of states over the institution, as the summit is of utmost importance to SAARC, responsible for change and upgrade of its activities but still functions in the ‘fingers of its members.’ They hold importance only when the member states think it so. However, the two points in the article are represented as the two ‘fundamental’ principles of cooperation, as mentioned in the books of achievements of SAARC, showing the utmost importance of this article.

#### **3.2.1.4 Provisional rules of procedure**

The list of 10 articles is followed by the “**Provisional Rules of procedure**” that reflects the main duties of each section who play an important role in

the decision-making process, rules the member countries ought to follow along with a standard of any meeting or discussions held within the premises of SAARC or the Summits. There are 17 provisional rules, as per the Charter that apply to the meetings of all those in the hierarchy given in figure 3 of the earlier section. The rules guide from appointment of officers and chairperson and their general powers to the conduction of meetings and amendments involved in the decision-making process. Amongst it all, Rule 7<sup>8</sup> reflects the need to decide in consensus as of any decision required to be taken, even though the meeting is allowed to proceed with at least five-member states present in and during the discussion. While rule 7 deals with the conduct of businesses, Rule 13 states the structure of the meeting and decisions to be taken on the basis of unanimity. Similarly, Rule 10 dictates the guidelines for the Speeches that confines the discussions/debates and the questions and requires it to be pre-arranged before the meeting (SAARC Charter, *published by the SAARC Secretariat*). All the rules as mentioned are dictated and stated by the Heads of the Government themselves, ever since the establishment of SAARC Charter.

The institution plays an active agent to fulfill the need to cooperate for regional development along with individual development through multilateral bodies and regional bodies emphasizing on aspect relating to women, youth and child development, combatting terrorism and drug abuse, fostering people-to people contact, encouraging civic engagements. There is a positivity around this as the Heads of the states do acknowledge the need to enhance the capacity of SAARC to reach its full capability in respect to a strong institution and policy analysis, with a specific emphasis on International Financial, monetary, trade and investment along with their domestic ramifications. Along with these, SAARC's partnership with multilateral organizations like UNCTAD, WTO and its involvement in different activities with recognition to milestone has been progressive as shown during the Summits. As for enhancing regional solidarity and cooperation the heads of the member states have encouraged specific projects as part of the requirement of at least three of the member states under the provisions of article VII and X of the Charter. In case of international political development issues, member states strictly abide by the principles of UN Charter as an

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<sup>8</sup> "The rule shall not apply to bodies established with membership less than the total membership of SAARC." (SAARC Charter)

effort to keep the organization democratic, efficient and financially viable and responsive to the interests of the member states.

All things considered, the mention about the importance of summit by the member states themselves clarifies its importance, and the need and hope of regional cooperation in South Asia. Despite the political hurdles and feeling of insecurity, the importance of geopolitical boundaries and historical significance were realized along with the benefits of the shared regional cooperation between the member states. Amid this, one more important thing is that the geographical contentions that the summit and the Charter seems to avoid the related discussions, relates directly to the past of the member states. Historically, the four countries, India, Pakistan, Bangladesh and Ceylon (today Sri Lanka) were the colonies of the British. While Bhutan and Maldives were their protectorate, Afghanistan and Nepal were never under their rule but were influenced majorly in terms of politics and policies by the British. In a way, we could see the policies of South Asia affected or influenced by the West, especially the British. As a region, South Asia has always been strategically important due to the availability of resources and prospects of trade even earlier than the 18th century.

Even though there have been series of dialogues, and formation of councils for conflict resolution between the members, the feeling of insecurity is still there; not with external entities but the insecure feeling is within the region itself. As discussed, the need for conflict resolution mechanism was also expressed, however, was not taken too deeply by other Heads of the States. One can assume this negation or ignorance of this appeal is the will of the members. The role of observers too is quite pertinent here like the mechanism of India and Pakistan was settled by USA and sometimes by the Soviet through its *Tashkent agreement*.

On the very first meeting of SAARC, during its establishment, His Excellency Rajiv Gandhi, the Prime Minister of India noted that the way of cooperation in South Asia highlights the need for its collective self-reliance. He further acknowledged stating,

*“the summit broadens the vision of South Asian Cooperation and gives a new impetus and fresh direction to our endeavor. It consolidates the institutional basis of our cooperation. Above all, it*

*fosters a peaceful and good neighbor relation between our countries.”*

(Rastriya Samachar Samiti, 2014)

Similarly, welcoming the new regional institution in South Asia, His Excellency Hussain Muhammad Ershad, the then President of Bangladesh recalled the fact that with the “*political and strategic divergences*” between the asymmetrical member countries, the regional cooperation remains a far cry and therefore “unrealistic” to wish to see its instant success. He further acknowledged,

*“the institutional arrangement for a periodic SAARC Summit is in itself a giant step forward that reflects our common faith that the risk and pitfall, the challenges inherent in our enterprise are not beyond the resources and leaderships when working together with courage and vision.”* (Rastriya Samachar Samiti, 2014)

These geopolitical hurdles have also been identified and expressed by the King of Bhutan His Majesty Jigme Singye Wangchuk during the inauguration of SAARC itself. In his address, he states,

*“In the geopolitical realities of our region, it would be unrealistic to ignore the primacy of the political factor as, in the final analysis, it would be the political environment of the region which will determine the shape and scope of regional cooperation in South Asia.”* (Rastriya Samachar Samiti, 2014)

The three addresses given above reflects the importance of SAARC as a regional institution in South Asia and the countries. It reflects on its stronger capability as an institution, but its capacity is limited by its own norms, principles and structures that lay in the hands of the Heads of the member states. However, it is affected by the unique-diverse characters of the members. There is a need felt by the members to consolidate this diversity into one-South Asian Community. Nevertheless, the members also point out that they are bounded by their colonial history, geographical features that displays the power dynamics in the region.

The scenario and the events in SAARC resemble to the three pillars of Intergovernmentalism; the importance of Nation-states, Inter-state bargains reflecting

on the diversity and the different areas of cooperation, as well as the areas countries and not willing to cooperate. Building into this framework, the principles and elements of Charter, which is the core of the study taken in the research, is better explained by the modern forms of intergovernmentalism brought about by confederalism and the theory of 'Locked-in.' The theories jointly harp on elements that make up a regional institution and explains the current phenomena of why and how these elements reflect on the strength of the institution; determining its capacity versus its capability.



## **CHAPTER 4**

### **REGIONALISM WITHIN SAARC EXPLAINED**

Taking the base of previous chapters, this chapter analyses it through a theoretical perspective and explains the ongoing in SAARC institution. Even though the two regions are different, the current phases of SAARC quite resemble the early-mid phases of the evolution of EU, when the significance of members were highlighted in question to the role of the regional institution. Thus, the aspects of intergovernmentalism stands out to explain this phenomenon in South Asia.

The previous chapter highlighted the core ingredients of SAARC as a regional institution, the area of cooperation and the area the member states were unwilling to cooperate. The loopholes in the institutional regime of SAARC has been identified by a few but has been rarely studied diverting the reason of the underdevelopment to the hostile relation of the neighboring member states, especially India and Pakistan, rather than identifying the weaknesses within the institution itself. Having an intergovernmental set up of the institution, and analyzing the institutional characters, a more in-depth analysis to intergovernmentalism theory along with its evolutionary concepts can help to understand how has SAARC manifested the regional cooperation, and what are the faults identified within the institution that has acted as hurdles to its development. Although the scope of the study covers the hostile background of the member states, the analysis emphasizes on the institutional regimes and the workings of SAARC created by this background of inter-state relations.

The chapter will proceed by summarizing the ongoing mechanism of SAARC followed up by the main pointers of intergovernmentalism theory as stated by Stanley Hoffman, the pioneer of the theory. It highlights the importance of nation states to institution and their role in SAARC. Next, building onto the theory of Intergovernmentalism, it attempts to explain the process of decision-making through Joint-decision model explained by Sharpf. Throughout the process, the study will take-on the aspects of SAARC that resembles with the theory and attempt to explain the phenomena of Asian regionalism through South Asian perspective.

#### **4.1 Formation of SAARC as a regional institution**

The formation of SAARC as a regional organization was a late emergent in the sector of regionalism. While earlier to this, many initiatives were taken, especially by India, and discussed through the conferences and organizations. Similar was the case to other organization in Asia, as a whole. Taking for instance one of the first few organizations in Southeast Asia before ASEAN could take its shape, SEATO (South-East Asian Associations with Thailand, Malaysia, Indonesia and the Philippines as its members) emerged as a result of the major influences of developed and powerful nations during the cold war to create their influence in opposition to the other power bloc. While, SEATO was used as a tool driven by USA to protect the spread of communism to the Southeast Asia in the face of aid and assistance, with other members joining in, the organization started blocking the great powers from influencing in their region. Basing on the factors like nationalism and sovereignty, the 5 principles stated in earlier chapter started playing an important role. As a result, states became the ruling actors and the sole decision makers of the organization. According to realism, the actions of the states are the reflection of their national interest and own preferences. Within this they tend to create their own regime: rules strictly based on the principles they built together by themselves. Here, the most powerful member(s) have a greater influence in making decisions. Similar can be accounted in the context of South Asia.

Strived years in colonialism and heavily influenced by the powerful countries, the South Asian members took in the 5 principles as the core basis of the organization. Despite applying the principles to its actions, the feeling of insecurity and mistrust has failed to diminish and the importance of nation states is held high. Due to the external pressures, influences and power politics developed by the colonization and the cold war, the sovereignty of the South Asian states and their 'newly' achieved independence hold a greater significance for themselves. Subsequently, the emphasis on the 'choice' made by the nation states to stick to their sovereignty, national interest will be analyzed further in this chapter through the theory. Here, the study argues that the 5 principles play a role in shaping the institutions capability. This helps them develop, preserve and even foster their own identity within the region. Along with pursuing the interest, working collectively by the members to achieve the common goal

and objectives through the identification of common areas, as decided by the member nations 'collectively,' stands out as the third aspect explained through theory.

Realizing the hostile relations between the member nations, a need to cooperate regionally was termed as the solution to mellow down the hostility and environment of insecurity. A hope was born out of SAARC that they can build upon their trust issue and in turn form a South Asian identity through SAARC. The emergence of SAARC as a regional institution, thus, can be accredited to boosting the cooperation within the region amongst the South Asian countries through common interest of the members.

#### **4.1.1 Power dynamics in SAARC**

The power dynamics in SAARC can be analyzed from various perspectives. It presents a unique approach to learn and analyze a different power politics played by the member nations, altogether. The first part views the importance of power prior to the establishment of SAARC that also plays a role in its emergence later. The second paragraph analyses the power defined by geography, accounted to the unique features in South Asia. Third reflects on the attitude borne by the states in terms of power. This actually explains the second portion that denying the direct power, but heavy influence depicted, by the geography in the region, which also is reflective in SAARC.

Analyzing prior to the establishment of SAARC, the power dynamics certainly have played a pertinent role in understanding the regionalism in South Asia. In order to explain the trend of importance of power in the region, the formation of regional alliances in Asia as brought about by Nehru can itself be an example for the attainment of power. The way of choosing countries like Iran, Afghanistan and Burma in 1947 (as discussed in Chapter 3) for forming a regional alliance, over smaller countries within the South Asian region define the attraction towards power interest being played within the region. On a similar tangent, the concept of forming a regional alliance to what we call now a regional cooperation fostered by SAARC, was initiated by Bangladesh who opted for ASEAN at the first place. The power dynamics for choosing ASEAN first directs to the understanding that SAARC was itself a second option for regional alliances considering the ongoing situation and power importance in South Asia. In the realm of International Theories, Realism has emphasized on the

importance of nation-states and power politics played by them. The main actors here are the 'nation states' who drive the policy making pattern and choose the decision making style with a strong will to pursue their own concerned 'national (geopolitical) interest'; and when we look upon the geopolitical context of South Asia, it stands strong with the asymmetrical sizes of the countries and the territorial disputes between them; especially after the partition (in 1947) of the largest country in South Asia and the one that is also most economically developed, i.e. India.

Ever since the establishment, the geographical feature of India has been on the spotlight of the actions displayed by SAARC. Even though we may not see the direct power domination of India, we are able to analyze the potential of the country and its influence so far. It can be seen through SAARC's adoption of the 5 principles, as well as changing the application of these very principles when it is advocated by the strongest country. Thus, the complex relation so developed by the largest nation also displays a push factor further with an attempt by other South Asian countries to balance the role of SAARC in South Asia. The indirect influence of power can also be reflected through the areas of cooperation centered at a particular aspect, and avoiding others, as the authority to make a final decision on anything still depends on the members. One example would be the largest countries holding the nuclear capability despite being mentioned the control of nuclear arms in the SAARC Charter and the declarations of SAARC Summit.

However, when we directly analyze the power spread in the region, unlike in other regional organization, the initiative was pushed by the smaller nations as a way to balance out their position and to put the bigger powers in check. An interesting point here then is to see how India was denied the title of the 'Most Favored Nation (MFN)' in South Asia, despite not only its immensely huge geographical size, when compared to its neighbors but its level of economic development and political power in the global as compared to rest of the members as well. This negates the concepts brought and favored by hegemonic stability in South Asia. This gives a rise to another aspect that directs us to the power of smaller states when come together. The power relations to this is referred to as the 'small power syndrome' as termed by Kripa Sridharan (refer to Chapter 2) when he elaborates about SAARC's power dynamics as unique compared to the rest. However, this concept/theory contrasts with the notion advocated by

Bandwagoning theory as the states are independent on their own and do not attempt to match up with the largest nation in order to counter balance the power differences, but instead comes together, or collaborates all at an equal level resulting in the formation of SAARC. This in turn has been noted in the SAARC Charter amongst the principles, especially mutual respect and equality which has been highlighted here by the member nation states in SAARC.

Altogether we can analyze the importance of power in SAARC, as defined first to assign the members the power to decide, power to choose and not to choose the areas of cooperation, while also assigning the responsibility to formulate and decide upon policies. The power vested in the members tend to direct SAARC to its development as well as balance the power in the region through the only regional institution with all 8 South Asian countries as its members. As when looked at the power of the institutions, the highest authority laid down is to the Secretary General whole role falls way below the foreign ministers and limited to only the role of implementing and facilitating. Meanwhile, it also becomes interesting to notice how this has been through many years and has not changed or modified in anyway.

#### **4.1.2 Understanding the phenomena within SAARC**

The earlier section looked at the power of member states. This laid down the idea of how these elements are grounded into the institutional regime and in turn allows us to analyze the complex relation that it has been built upon. Along with the notion of power, other aspects like security, survival and national interest is also taken into account by Realism and Neorealism in the realm of International Theories. However, as these theories were unable to define how states regionally cooperate or why do larger nations cooperate with smaller ones, Intergovernmentalism as one of the theories of Regional Integration attempts to explain the cooperation regionally, deriving in on a few notions of realism: power politics being played by the nation-states, the importance of their national interest and their actions as a result to fulfill their national interest, keeping it as their top-most priority.

As explained in Chapter 2 by different scholars, the theory of Intergovernmentalism regards the nation-states to take in the role as the key decision maker when it comes to 'international cooperation' even though it means within an

institution. The theory strongly abides by the primary role that the states play in drafting the policies, representing it in the international forum and even guiding the institution according to the defined policies. However, it departs from Realism in the aspects of anarchy and emphasizes more on state being the primary actor whereas institution playing a supporting role for the states. The theory, therefore, takes in a state-centric approach where the policies in the institution are directed to not only meeting the common goal, but also fulfilling the national interest of its member states. Advocating for states, the theory clarifies the reason of cooperation amongst the states as a member of an institution. Simultaneously the theory also highlights the fact that the cooperation takes place only when the member states are willing to do so, depending on the opportunity and benefits they receive. The institutions, therefore, play the role of instruments or tools that guide them to achieve their national goal and lead them to their development along with peace and stability without jeopardizing their national security and sovereignty.

While scholars analyze the external power influence or power within the member states, limited researches exist analyzing the capacity of the institution in reaching its full capability. In order to explain these phenomena in South Asia and the member-relations amongst one another, the theory of Intergovernmentalism, thus, takes in the first hand explaining the functioning of SAARC, while secondly the modified approaches that have branched out of intergovernmentalism attempt to explain the elements of within SAARC like sovereignty, unanimity and treaties and agreements.

Thus far we have studied the important role of the member states in each stage of SAARC: the rules mentioned in the Charter abided by the members, the decision-making process in SAARC meetings and Summits, and everything that falls under the guidance of the member-states. Here, even the cancellation of summits or its postponement is decided by the members. Meanwhile, the member states in SAARC are bounded by its own principles to cooperate in areas that fulfill their national interest or takes the members one step closer to it. The authority in SAARC has been transferred by the members to foster regional cooperation but on their 'terms and conditions'. Up to one level, we see its effectiveness to foster regional cohesiveness in the region. But, on the other hand, when the environment turns hostile to the country's nationalism and national security and interest, it has been observed that the member nations shift their

priority from basing its actions to principles and protect their own welfare rather than the region. These can be reflected through the boycotts of the Summits in SAARC. The boycotts each had reason of their own, where mostly the members considered itself. Based on the Charter, where it emphasizes in unanimity (discussed later), all 8 countries ought to be present while making the final decision regarding any change or addition to SAARC.

#### **4.2 Applicability of intergovernmentalism**

Following the factors identified by Stanley Hoffman (as mentioned in the scholarly review of theories in Chapter 2), Intergovernmentalism plays the role perfectly in SAARC in the form of regional institution. When the Charter and the Summits, discussed in Chapter 3, explains their utmost importance in terms of progressing the regional cooperation in South Asia, one can take into account the points Hoffman makes through his theory. Derived from the theoretical review from Chapter 2, the central theme of the theory revolves around the importance of the states, the involvement of their Government Heads and their actions. These actions are, in turn, defined by their national interests, aligned with their national policies and the active involvement of the Government. However, as the international and regional institutions grew, the decision-making authority started to decentralize. This decentralized process of decision making within any kind of institutions, international or regional, started resulting in modified approaches of Intergovernmentalism and sometimes alternate approaches to explain the phenomenon still keeping the position/authority of the nation-states high. This section attempts to analyze the ongoing of SAARC, viewed and analyzed from the Intergovernmentalist lens. For this, it takes into the context of three factors that Hoffman identifies, and thus is summarized by the table below. The theory of Intergovernmentalism as explained in the review highlights these three features in which importance of nation states within the institution can be reflected by all 3.



*Figure 4. 1* Three key features of Intergovernmentalism

The first element emphasizes on the importance of states as a sole decision-maker for their external policies. This allows the power of deciding to rest upon the member states. This in turn is determined by the will and determination of the nation itself to achieve one's national interest, leading us to the second pointer of Intergovernmentalism. The inter-state bargaining thus takes in the structure based on their national interest and the willingness of the member states. Striving to fulfill its national interest, the nations negotiate and bargain, tending to make decisions that likely will not harm its national identity or misdirect its national interest, but at the same time favor all, and mostly itself. This shows the continued dominance of nation states in a regional negotiations and inter-state bargaining. The bargaining thus leads to either integration or disintegration or both in selected areas as decided by the member states upon discussion. This brings out the major criticism Hoffman poses to Neo-functional approach, rejecting the idea of spillover (Eilstrup-Sangiovanni, 2006).

The sub-sections are divided into these three aspects where each part looks at its own micro effects on the institution following its own pointers as stated by Hoffman. Meanwhile, we can also see that each pointer is somewhat related and collectively is responsible to determine the institutions capacity of SAARC to further the regional cooperation.

#### **4.2.1 Importance of nation-states**

“Nation-states are obstinate than obsolete” (Hoffman, 1966). The statement reflects in the position of Nation states, and thus highlights the importance of it under any and every circumstance in an institution. Ever since independence until the 35 years of SAARC's establishment, the sovereignty, the non-interference policy, mutual

respect along with equality, and all aiming for peaceful co-existence has been the core of the member states. This section attempts to reflect the authority held by these nation states in decision-making processes as mentioned in the Charter and guided in the Summits, which both remain dominant by South Asian member states. As the institutions starts processing, the power is automatically bestowed on the member states rather than the engine for cooperation, i.e. SAARC. The members, instead, take the institution as an instrument or a tool that would help them cooperate and collaborate taking it one step further to reaching their goal of development. This falls under the national welfare of each nation and thus, they choose on cooperating in similar areas. Taking this under the context, the areas of cooperation and the decision-making process thus is dominated by the member states in SAARC. Taking a realist stance, Intergovernmentalism highlights the significance of member nations in the regional institution.

The importance of the member states also reflects the structure of the organization where the final decision has to pass through the head of the state while the head of the institution stands in the third level of authoritative position. Despite the developing significance of institutions worldwide, the role of nation-states is still held high within the region of South Asia. This has given them strength and power to choose and become more independent gaining their sovereignty and strengthening their national stance. However, their strong grasp in their sovereignty has somewhat resulted in their unwillingness to share their sovereignty and propelled them not to compromise in things they don't want to cooperate (also talked in the second point). Thus, the institutional forces, or rather as Hoffman puts it, the intergovernmental-institutional forces, are still dominated by the members in SAARC.

The authority given to the member states, thus, has also resulted in negative effects to the regional cooperation creating a hurdle for the organization and blocking its chance to do anything for the cooperation. Despite the proliferation of agencies under or working with SAARC, the agreements signed, and the treaties introduced, the full amount of effectivity cannot still be guaranteed. One can abide to this statement as despite being a summit-centric organization, it has been unable to host summits annually or consistently. The breakage of hosting summits has been the resulting factor of the political disagreements expressing the unwillingness of the member states which

creates rising tensions in the region and insecurities. Based on the primary interview conducted during the study, the cancellation of the SAARC summit has destroyed the momentum and has affected greatly to the functionality of the organization further diminishing its legality. However, the workings are still carried out within the institution, which though slow, reflects on the importance of SAARC to build up regional cooperation within the South Asian Countries. This on the other hand, reflects the strength that SAARC and displays its capability to foster the cooperation. One of the examples that identifies this is the establishment of South Asian Development Fund (SADF) in 1996, when the ninth summit was cancelled and then postponed to 1997, as outlined in the table of summits. This means that SAARC has not failed as an institution, but rather slowed the ongoing activities, projects and programmes that was conducted aiming at fostering the cooperation within the region.

#### **4.2.2 Inter-state bargaining**

The second point Hoffman reflects on is the process of inter-state bargaining where states tend to take the stance of nationalism as a priority, and in it plays the role of their diverse backgrounds, their rigidity to their decisions claiming their own stance and finally not letting go of the sovereignty. In an attempt to show the relation between nationalism, national interest and national situations, Hoffman brings in the equation: “National Interest= National Situation\*Outlook of the Foreign policy makers”; meaning the national interest is the product or the result of the internal dynamics within the country and different perceptions of the foreign policy makers, that is further shaped by their cultural, socio-economic and historical background, and diverse political and economic diversity as described in Chapter 3 (Hoffman, 1966, p. 869). It is through this diversity, the negotiation and bargaining between the member states take place, through 8 different perceptions in terms of SAARC. Through this equation he further attempts to explain the relation between nation-states and the international system.

The 8 members of SAARC has 8 different characters and perspective while they share similar culture, history and national interest aiming towards national welfare and development. Based on the equation above, even though each country has a similar national interest, what makes it different is its social, economic and political

situation/environment of the country. Furthermore, the second part of the equation referring to the outlook of foreign policy makers argues that each is shaped by their unique environment and characteristics, despite sharing the same history. As each member has their own story to tell, they also have their own history reflecting on their unique characters compelling them to maintain their defensive posture and preserving their uniqueness. This shapes up the negotiation and bargaining capability of the states. In here too, power plays a significant role in influencing the deciding factor. Nevertheless, Hoffman predicts the diversity may result in tackling different challenges each facilitated by different perspectives and therefore, broader approach.

Along with this, amongst the South Asian countries the holding of their sovereignty and the non-interference principle as mentioned in the Charter also reflects on the rigidity and inflexible or rather unadapting institution. To this, many scholars have also criticized the inflexibility of the institutional structures of SAARC, which tends to give more space to their member states than needed that allows them to rule over the institution, that makes bargaining and negotiations within more difficult. If we take an example of the European Council, it as well is comprised of the Heads of the Government or the member states, where the issue of national interest and national policies is guided by the domestic situation and external environment. This can be further advocated by the activities of the French President Charles De Gaulle, who held onto its nationalism and denied the membership of Britain into the EU, twice. This has emerged as a critique to neo-functionalism.

#### **4.2.3 Integration v/s disintegration**

The third section emphasizes on the idea of integration and disintegration explained through the logic of diversity, and therefore determining the different areas of cooperation, to which Hoffman states the ‘high-politics’ and ‘low-politics.’ While Neo-functionalist scholars support the “logic of integration” as an opportunity to bring together states of different cultures and identity with their own unique way to solve problems jointly through different innovative ideas. Hoffman criticizes this notion of integration with the idea of “logic of diversity” reinstating that diversity is the reason that keeps them apart from sharing the same path of integration when it comes to their distinct nationality. Close to their sovereignty, it has been an explanatory factor of

member states pursuing different national interest driven by the force of the feelings of nationalism, and the national sentiment going strong in each South Asian state especially, ever since the independence gained by the South Asian Countries. Through the theory of intergovernmentalism, Hoffman further advocates for the case of a strong integration that has the capability to build into a community (which the SAARC members have been aiming for); it should sow the benefits through lesser costs and higher benefits and conceived as regimes (rules, norms, and decision-making procedures).

Intergovernmentalist states that members have the power to 'choose' the area they want to cooperate in and therefore, argues that integration is based on the willingness of the member states and therefore is the result of a purposive behavior of the nation states. In contrast to the logic of integration, the logic of diversity entails the concept of differences between the member states, their national interest and national situation, their culture and history which they prefer to not blend with others to preserve their national identity, national security and sovereignty. Each member state depending on their geographic placement, their history, culture and resources structure different perceptions within the leaders that reflects in a diverse set of national interest. In addition, the diverse political features and levels that each country has also plays a role in determining the specific goals and condition of cooperation. The diversity thus, play in a role that limits the functions of an institution through policies and principles, norms and rules drafted for the institution and its activities (Hoffman, 1966, p. 909).

Similarly, the areas in cooperation in SAARC too can be divided into two levels: "High Politics" and "Low Politics." Low politics reflects on the areas where the member states are more willing to cooperate as they are not controversial and do not pose a threat to the identity of the nation states like the economic sphere; in which SAARC currently deals with. While High politics includes areas that are dealt with serious issues and issues concerned with national identity and sovereignty, as explained in the section of Literature review. This distinction in SAARC is further enshrined in Article X (2) of the Charter, (ANNEX I) that expresses the exclusion of contentious and bilateral issues that creates or might create a controversy. This halts the progress of any institution, as ultimately the sectors of the countries are interconnected to each other and the costs or the benefits cannot be limited only to one. Along with this, there are

also two views in a country willing and not willing to merge the areas of cooperation. These situations can be seen through summits and meetings, when some members are willing to discuss the conflict related issues, while others not considering it a bilateral issue. One situation is the discussion of the J&K issue, where India states it as a bilateral issue, Pakistan claims it to be important to bring it to the limelight. For each country the principle holds a different value and thus their need to gain stability.

These are the factor that indicates the unwillingness to risk meshing in their values and identity into one. This allows the members in SAARC to not merge the aspects of economic and social development with the political (bilateral or argumentative issues) relations abiding by the Charter. The avoidance of bilateral and contentious issues by the states are not only stated in Article X but has been repeated in the Provisionary rules and during summits indicating its importance in the issues dealing with regional cooperation. The irony in this particular article is that it was a major influence by India due to its insecurities towards its smaller neighbors coming together and the fear that they might gang up against it. This has made situations equally complicated in addition to small states fearing up on Indian domination. Moreover, to prevent the spillover of political instability over the economic aspect of the region, the existence of the newly formed Arbitration Council in SAARC touches upon the contentious issues holding upon two conditions but is voluntary as well as limited to the economic sector to foster smooth investment within the region. However, this element makes it a-not-so-effective agency (SAARC Conventions, Ministry of External Affairs). The council acted “as a coordinating agency in the SAARC dispute resolution system.” In addition to this, the agency is a voluntary organization, where the member states would approach, if needed and/or wanted (Ministry of External Affairs, India, (n.d.-a).

Thus, we can see that the concepts brought about by Hoffman through Intergovernmentalism can be analyzed taking in elements as stated in the Charter: the hierarchical structure which reflects the highest power on the member states, their strict adherence to the principles of sovereignty and non-interference and mutual equality, the Article (X) that forbids SAARC to bring about the bilateral and contentious issues in and all in all which is reflected in the meeting of the Heads of the States identified as the SAARC Summit. This states the importance of the member states in the

institution and their willingness to cooperate. The process is highlighted in the above section as well. The institutional design of SAARC as a regional institution was reflected through and guided by the Charter.

Having said this, there also lay criticisms to Intergovernmentalism, and to the notion put forward by Hoffman on the aspects of high politics and low politics, interstate bargaining and heavy emphasis on the member states during the 1980s after the success of the single currency and common policy in the EU. If we see it through SAARC, the criticisms would also be valid to SAARC and thus raise doubts on the notions put forward. This has been further clarified in the next section.

### **4.3 Tacking traditional intergovernmental theories with its modified approaches**

#### **4.3.1 Criticisms**

Just like Intergovernmentalism theory emerged out of the critiques of Neo-functionalism, the change in events and the evolution of institutions started questioning the concepts of Intergovernmentalism as well. Emerged during the 1960's and 70's, Intergovernmentalism attempted to explain the regionalism in EU when the member states were only 6. As the region started to improve economically, the number of members also started increasing and along with it started increasing a number of treaties and agreements. New agencies were formed and newer concepts like the Single European Currency, Single European Act, the Common Foreign and Security Policy laid the foundation in the EU. The intergovernmental concepts that explained the regionalism there became old and rusty.

In addition to this, the differentiation between the high and low politics were highly criticized. The relation between different sectors started becoming more crucial and dependent over each other. In SAARC, if not the effects of economic and social cooperation in SAARC, the activities have been heavily influenced by the political decisions that the member states make as they 'over'-emphasize their national security and national welfare. This leads us to the second criticism of Intergovernmentalism when it gives an over emphasis on the nationalism of the countries.

In the current century, where the world has reached beyond the multipolar order and has said to be representing a 'multiplex' system, the ideology of being narrowly possessive for one's own national welfare disrupts the path of development rather than move towards prosperity. However, one must not forget that each theory emerges to explain the ongoing process and the past, and thus predict the future. The prediction is mostly right but there are a few chances that the challenges can be explained and/or tackled differently. This changes the concept of the theory, but one cannot deny fully the idea presented in the theory. Similar is the case with Intergovernmentalism used to explain a particular relation in SAARC, and not the overall process that takes place in the institution as well as in the region.

Despite explaining the overall working mechanism of SAARC and events occurring within the institution, some queries are still under question in institution. Like, as the institution yields much lesser than the cost and has been termed as a failure or trivial to the nation states, why there are still projects and activities being strongly advocated in SAARC? If the institution has not brought about any changes, why the members still take it as a ray of hope for peace and development in the region? If considering nation states and protecting their sovereignty with utmost importance than institution is the problem, is it right to let go of the sovereignty by the members? If more power is to be given to the institution, will it lead to unequal power distribution amongst the member states? How will the principle and decision-making structure be, and who is to be accountable for the change?

Considering the existence of SAARC, many even refer to it as a '*talk show*' where the members talk or discuss, and impact is resulted with diminishing returns. It has been four years the last summit was postponed and there is no strong urge of it happening soon. If it is so, why despite the hostile environment, SAARC is still conducting activities and projects with an aim to foster regional cooperation and to see the region develop a South Asian Economy Union (SAEU) harvesting its full potential. To dig deeper to these questions, other concepts were tapped into analyzing further the regionalism process. While, the base of intergovernmentalism remained the same, new branches started growing with a justification for the occurrence of the events and the condition of the institution. Out of all the branches, the study takes in two different branches of Intergovernmentalism: Confederatism and Joint Decision Trap.

With the effort of explaining the regionalism process, the study also attempts to bring the two approaches to limelight while studying the theory of International Relations along with the theories to explain regionalism. The two theories initially emerged explaining the functioning of national governments of the United States and Germany respectively. While the former states the concepts of independent states forming a community, each with respect to sovereignty, the latter emphasized on the challenges posed by the Joint Decision-Making System.

Explaining in the context of EU, the regional institution is sometimes called as federalist, where the institution holds the strength and the member states transfer their sovereignty to the institution, while sometimes termed as confederalist where each state holds their own sovereignty but also emphasize on building up the European Community. While there is a thin line between the two systems, some scholars have even claimed it to be half and half: a federalist with strength in the EU, and confederalists when the member states had more power in the section of complicated issues like sovereignty and national issues. In the latter part, the institution is just an 'agent of its members.' In an article related to confederalism in Europe states that the features linked to sovereignty is directly related to the statehood while the confederal authority; here the EU, holds 'a very limited sovereignty, with indirect democratic legitimacy, and where its fiscal revenues, defense and foreign policy relies on its member states' (Violi, 2017). Through an article as stated in the literature review, the confederalists claim that as the institution is weaker and remains under the authority of the member states, they are more guided by the inter-state agreements where the decision making is rather proceeded by consensus (unanimous decision-making). This factor aligns with the next approach taken up by the study i.e. Joint Decision Trap.

The study attempts to explain the clause of unanimity as a tool that has hindered the institution and has failed to progress. While in some cases this is taken as a way to ensure unity despite diversity among the nation states. It allows the negotiations to be compulsory by all rather than voluntary transferring the powers to the institution as it brings the members together. Henceforth, this is even argued to strengthen the cooperation. However, coming together and negotiating or bargaining depends on the will of the member states. This case becomes true and undeniable when it comes to a nascent intergovernmental institution like SAARC. The section below

discusses the same. It tries to analyze the importance of SAARC and its institutional regime through the lens of Confederalism and Joint Decision trap as a model of 'Locked in'.

### **4.3.2 Confederalism**

Following the ideas from Chapter 2 (Literature review) and the earlier section, when we relate SAARC to the stages of regional integration with that in the EU, it seems that SAARC has just reached the Intergovernmentalism phase of 1950s and 1960s of the European Union. Considering this, one of the few new grounds for the modified approaches of Intergovernmentalism can be explained by the idea of 'confederalism' brought about by Paul Taylor in the 1970's. The approach stresses upon the relation between Institution and the member nation states where the members hold sovereignty no matter the status of the institution but lays more emphasis on the positive aspect of unity between the members. Though the two emphasize on inter-state relations differently, they are connected as they criticize the unanimity clause as one of the weaknesses that was earlier found in EU.

In order to explain this concept along the lines of evolving EU system, confederalism divides the evolution into three phases, federalism, neo-functionalism and confederalism (after 1969), as discussed in the literature review. The first phase states the defensive position taken by the governments against the institution as the more there is regional constraints, the more the nation states tend to be defensive. Second explains the formation of a community characterized by "Gesellschaft" rather than "Gemeinschaft." The differences between the formal (former) and informal (latter) relations upheld by the member states. The formal relation is rooted to the rational agreements agreed mutually by partners, while the informal relies more on building up of social ties that are most based on values and beliefs. As regarded by Paul, the EU relations are built upon the formal relations tied by agreements of mutual consent of the members within the EU. This directs to the willingness and unwillingness of areas of cooperation as stated in the theory of intergovernmentalism by Hoffman, further distinguishing on the two level of politics in an institution. Third as described is process of giving leverage to both the parties in terms of cooperation where the institution is

responsible for holding a supranational position at one time and emphasizing on sovereignty, on the other.

These three levels determine the type of cooperation level between the states the way they want it. The idea of states being important and playing a key role in cooperation with highest authority remains intact as the nature of the institution is structured by the states itself. Thus, when seen through the lens of confederalism, EU reflects a community with different members cooperating rather than unity, as the authority for one of the few important issues like foreign policy affairs of the members or the EU as a whole, security and defense still lay in the hands of the member states. The changes so occurred does also include consultation with the member states unanimously until 1987 when it reduced, not eliminated, the principle of unanimity. Until today, few crucial areas require all the member states agreements. The unanimous voting has now been changed into QMV or simple voting after the EU faced difficulty in dealing with consensus issues with its 28 members.

Now, when we see it the case of SAARC, some of the ideas explain its growth in certain areas and some explain the relapse to hostility once again. These institutions base their framework as guided by the members. SAARC aims at forming a South Asian union in its future, however the strong grasp in their sovereignty and a developed feeling of insecurity due to lack of trust amongst each other has been a strong hurdle for the regional cooperation to foster. The feeling of insecurity made stronger by the lack of trust between members' that has compelled the Governments to take defensive position against their own neighbors. This has been one of the reasons for the cancellation of the summits most of the time. Issues like national priority, national security and national interest has been put as the topmost priority amongst SAARC countries when dealing with cooperation and areas to build upon together. As stated in the interview, the experiences and occurrence of events have depicted that the more the cancellation of the summit, the more the gap between the member countries widen which directly results in the lack of trust amongst the member states. Though building up a community, 'Gesellschaft' as the confederalists refer to, has been one of the goals of SAARC, the idea still remains far further without any meeting between the member states. Based on the explanation of the interviewee, the momentum gained during the SAARC Summit meetings is lost when the meetings are cancelled for various reasons.

This automatically loses the chance to build rapport amongst the members and bridge the gap between them. Instead allows more suspicion, and uncertainty in relation between them creating more challenges for the regional cooperation to foster. Nevertheless, despite this, SAARC has targeted on physical connectivity through infrastructure development, energy cohesiveness and tourism.

Analyzing this factor, SAARC still is in the first level of confederalist cooperation. Pursuing a stronger aim of becoming a community or a union, the member states still stick by SAARC with multiple attempts to bring together the two hostile countries together to talk about the issue. Despite cancellation of the 19<sup>th</sup> summit, the countries are hence looking at options for them to foster regional cooperation by holding a re-summit in Nepal, as the earlier chair, or holding a 20<sup>th</sup> Summit in Sri Lanka to move past the bilateral issues.

#### **4.3.3 Joint decision trap model**

Regardless of multiple options to hold the SAARC Summit, it has not been able to decide on a single option. The reason: all members have not agreed to it. Nevertheless, being the only organization to host all states in South Asia, members still look up to SAARC to boost regional cooperation. This brings out another concept that roots its notions on Intergovernmental concepts, but on a different path. The concept of 'locked-in' emphasizes on the importance of institutions and appropriately explains why and how states are 'locked-in' into a cooperative model within the region. Apart from being connected strongly through history, the member states jointly work on policy making and decision-making processes. One of the tools can be majorly stated being locked in into treaties and agreements that bind them together, and if broken the states compensate with higher costs to one another. Another concept similar to this was brought about by Fritz W. Sharpf. The two things highlighted by Sharpf (mentioned in the review) takes in the stance of the Intergovernmentalism theory: interstate bargaining within an institution and decision taken through unanimous voting.

Both of these features as pointed by Sharpf emphasize on the decision-making process during the 1950's - 1960's and in some cases even now (Sharpf, 1988). He further predicts these to be the component of hinderances in EU that it still faces difficult and has problems when the decision-making is through these processes. For

instance, the Brexit, which still lays in a limbo with ‘deal’ or ‘no-deal.’ As seen in Brexit, Britain has opted out of the EU concerning its strength, diversity that other EU countries, and analyzing its own national interest and national strength. However, it also fears losing good deals that it has with the EU. Now, the decision has to be made in consensus and with all due respect for the Britain’s terms and conditions. However, the decision stays static, and now the members seem to be locked in with Britain as the dates of finalization and the discussions regarding these issues has not been static.

When applied to SAARC, the model first takes into account the context of and importance of treaties and agreements that bind the member states together and has contributed to the regional cooperation within South Asia. Secondly, it explains the importance and challenges posed by the ‘unanimity’ clause in the Charter that has attempted to create unity amongst the member states, but at the same time has acted as a hurdle in the development of the institution.

#### **4.3.3.1 Treaties and agreements**

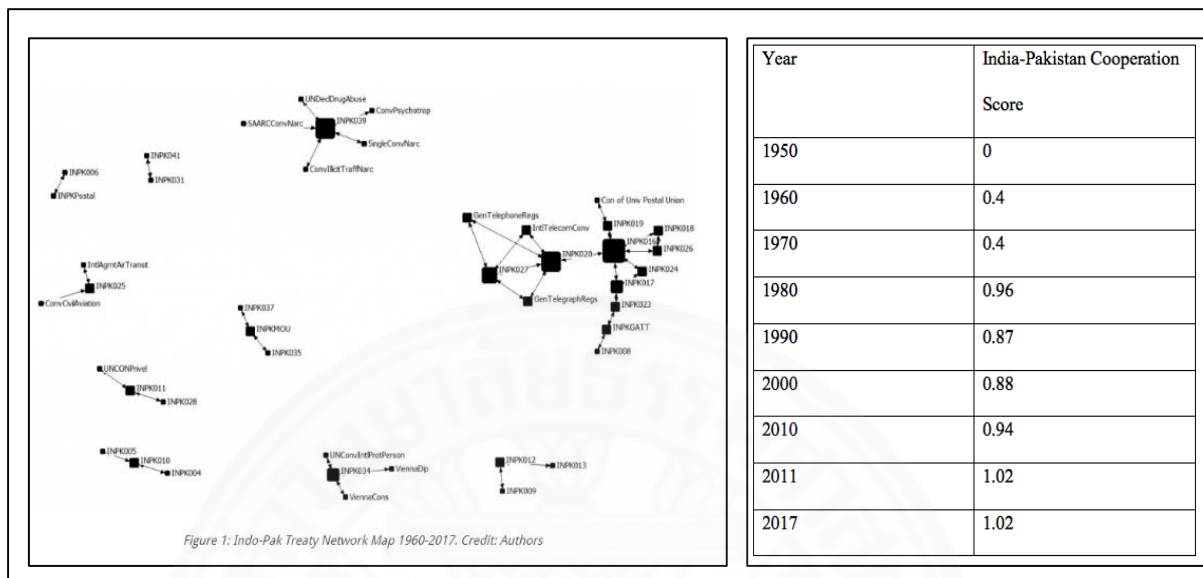
First, the establishment of agreements, treaties, sure have paved the way of SAARC to become a regional institution and has fostered the regional cooperation within the members - but a successful regional institution still remains a question. During the evolution of summit (as mentioned in Chapter 3) SAARC has strived for people-to-people connection through concentration on these three sectors including progress in educational sectors like South Asian University (SAU), increased visibility through research Grants, Youth development and grants focusing on Youth participation in SAARC through awards, research and fellowships. For instance, the establishment of the Social Charter for the development of South Asian people and followed by it the activities to attain social development in South Asia reflects in one of the few strong activities in SAARC. One explanatory example to this is in the sector of ‘education.’ The recently held “Twelfth Meeting of the Committee of Heads of University Grants Commissions,” the current Secretary General H.E. Mr. Amjad Hussain B. Sial referred to the declaration made in 4th SAARC Summit the importance of education and inclusion of Education as one of the areas of cooperation in SAARC. He further mentioned the establishment of SAU as one of the greatest accomplishments in SAARC when we refer to the agenda of education in Sustainable Development Goals (SDGs). In reference to this, SAARC has developed a Framework known as “SAARC

Framework for Action (SFFA)” and has agreed on an “Action Plan on the implementation of the New Delhi Declaration on Education” followed by more scholarships, grants and fellowships offered to researchers and academicians (SAARC, n.d.-c). This has bounded the states together.

Supporting these initiatives, a recent data published by the London School of Economics has analyzed how the treaties and agreements have helped India and Pakistan, in particular, to prevent war in the region. The authors analyzed the outcomes of total 44 treaties between the two countries since 1947 to 2017. The result was positive and in turn responded to the changing relation between the two countries over time. Through treaty network analysis, the authors have identified that with the fear of breaching one treaty would create a network of breaching all treaties. As the year extended, increased with it the number of treaties and the cooperation along with its benefits, while also increasing the cost of withdrawal. (Tandon & Slobodchikoff, 2019) Given in picture 2, it displays the network of treaties between the two countries. While the tabular form of the picture shows the number, years passed and along with it the cooperation ratio as analyzed by the authors. As the number gets closer to 1, the cooperation level as well increases. Meanwhile, the ratio increased drastically during the period of 1970s to 1980’s due to the treaties and agreements signed between the two countries in relation to the J&K issue. One main agreement in it was ‘*the Simla Agreement.*’

This analysis suggests that the cooperation between the countries, although not entirely, has shifted their priority to achieving national welfare. The author of the article states the shift of “traditional rivalry” to a “cooperative rivalry” (Tandon & Slobodchikoff, 2019). The working mechanism of this type has been considered a ‘diplomatic technique’ which states tend to use (in here the institution uses) to build on the cooperation amongst themselves. The SAARC states are joined together, if not the heads of the government, the ministry level officials and experts in working groups to work on projects, programs and activities within the SAARC framework itself. Analyzing this aspect, the establishment of SAFTA and other expansion of organs and sectors, though have tried to catch the pace of development in South Asia with elsewhere in the world, they are still considered early and challenges and opportunities

at the same time as they have bounded the states to work together even if they might not be willing to.



Source: Tandon & Slobodchikoff, 2019

Figure 4. 2 “Treaty analysis network”

#### 4.3.3.2 Unanimous decision making

Secondly, apart from the norms/rules of avoiding the contentious and bilateral issues, Article X and Rule 9: Points of Order states one of the provisional rules holding a clause of ‘Unanimity’ as the decision-making process in SAARC. Although the model or approach stresses on why states are together despite its faults, this has been another reason for the cancellation of summits as it clearly states in the Charter that the decision has to be unanimous and everyone must take part in it. The implementation of this clause requires the presence of the Heads of the governments in the Summits or any other important meetings is to be conducted. It makes the participation of member states compulsory in every decision-making process. This, sometimes, results in either no results or not-so-effective outcome when the interest of the member states collides with each other. This clause has also been mentioned for/during the conduct of Business within the South Asian member states (Rule 7) that makes the presence of all member states to be a necessity before any decision is taken listed in the “Provisional Rules of Procedure” in the Charter (SAARC Charter). This

results in a 'zero-sum' game as identified by Hoffman where the losses are compensated by gains in other issues. The only way to gain is to negotiate so that none of the parties feel like being ripped off and they not only think about oneself but of others interest as well. To elaborate it better, this phenomenon explains the "locking-in" of states mostly suitably explained by 'Joint Decision Traps.' Thus, the trend of development in SAARC is considered commendable but rather early considering its status: 'a failure despite its progress.'

With the historical background of the member states, especially, India and Pakistan, the clause of 'unanimity' has posed a blockade rather than giving a space to unity and boosting the regional cooperation, regardless of what area they are working in as it requires all the member states to be present to decide on something. The states are thus trapped with the negotiations and bargaining they offer to the other party within the institution. Either they are given a win-lose situation where one of the member states has to surrender and they are forced to cooperate even if they don't want to or the whole agreement and negotiations are called off. When the former takes place, the results are rather inefficient giving less meaning to the cooperation between them due to their lack of willingness. As the condition of 'lack of willingness' and 'deficit of trust' was also identified by the interviewee as one of the issues the member states have to work on, one can say that the clause of unanimity certainly plays a role in the stagnancy of SAARC. When the latter takes place with no agreements, no solution comes out for the existing problem or negotiations. This case can be analyzed through the cancelled summits and the all different reason given to boycott the summit, with one common aspect: the act of countering terrorism in the region. On top of this the unanimity clause rather slows down the process and is rather cumbersome in when it comes to making decisions.

It is the consideration of different geographical features that each country has that makes it more different whether they benefit from the geographical features over another country's or not. With an aim to stop the conflicts and dispute and to minimize violence, many treaties and agreements have been signed bilaterally. One example is the agreement signed between India and Pakistan, the Simla Agreement in 1972, aimed for reestablishing the diplomatic bilateral ties that agreed to respect the line of control and solve further issues bilaterally. As much of the light it shed to build

up the relation, there arose a misconception by the countries in the agreement. While, on the other hand, Pakistan did not see the agreement as ‘the end’ for the Kashmir dispute and still could refer it to the third person to settle the ‘illegitimate territorial arrangement,’ as referred to by Pakistan) in Kashmir (Kapur & Ganguly, 2010). Settled through the agreement and treaties, the war surely de-escalated, but the relation still remained hostile and the blame-game between the countries continued. This represented the power and importance of cooperation through mutual agreements, and unanimity as a part of regime, that depicted the stagnancy in the region. Similarly, when it comes to multilateral agreements signed within SAARC, it takes in the stance of non-interference policy along with it no bilateral or multilateral negotiations included.

#### 4.4 The framework

The figure below reflects the interconnection between the variables of the institution, adjoined to the theories as stated above, that highlights and explains the key features emphasized throughout the study.

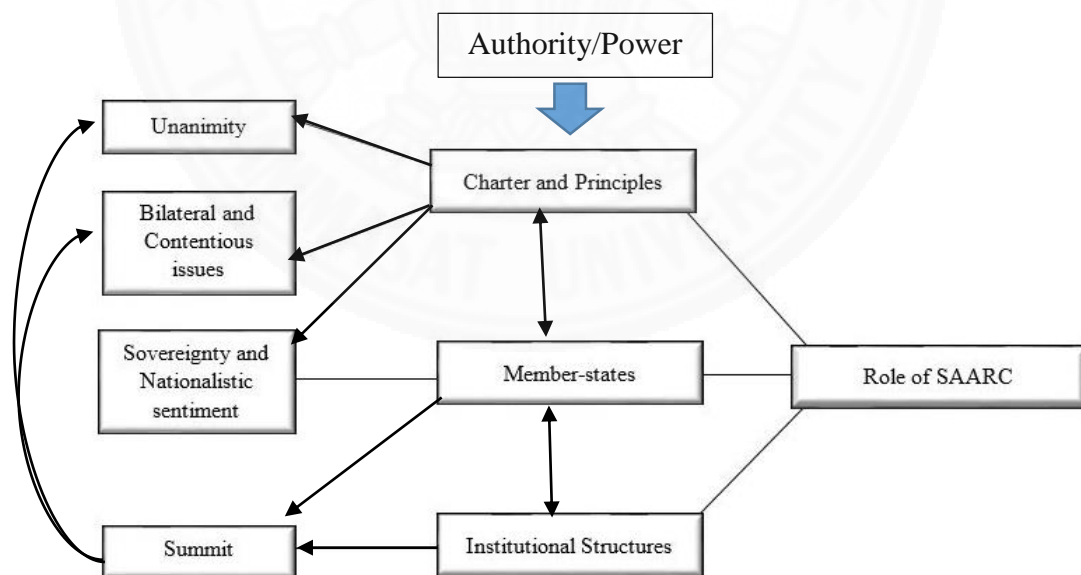


Figure 4. 3 Link showing the connection between variables and authority in SAARC

The figure above reflects the role of SAARC characterized by 3 main important things: the Member states as the sole decision maker, the SAARC Charter as the backbone of the institution acting as the main body/guidance through norms and principles within SAARC and the institutional structure that is defined by the member states, enshrined in the Charter and that demonstrates the pathway for the institution to function. Even though these three features are divided as three parts, they are heavily interlinked with each other and their role in SAARC is overlapped in most cases. The following section attempts to explain this particular interlinkage characterized within the institution, while also explaining their major role, individually.

Firstly, in line with the recognition of the member-states, as stated in the figure, the highest authority given in SAARC is the Council formed by **the Heads of the Member states** and then the Council of Ministers that incorporates the foreign minister-representative from each of the member states. The segregation of roles and designation of authority in SAARC is enshrined in the SAARC Charter established and signed at the time of the establishment of the organization. While signing the Charter and during each summit, the leaders *“reaffirmed their commitment to the UN Charter and the principles governing sovereign equality of States, peaceful settlement of disputes, non-interference in internal affairs and non-use or threat of use of force against the territorial integrity and political independence of other states”* (SAARC, n.d.-c). The commitments include abiding to the provisions as mentioned in the Charter, the norms and principles that should be followed with full dignity and loyalty in the quest of achieving the objectives as mentioned, through the activities and projects and programmes, fulfilling the roles and responsibilities by committees and groups. This highlights the importance of norms and principles (regimes) within the institution. These factors in-line are identified as well as defined by the Heads of the Member states itself. The ultimate decision-making authority lay in the hands of the Governments to pursue the areas of cooperation, deciding unanimously.

Similarly, along with the defining roles of the committee, the Charter further states the guiding principles of the sovereignty, non-interference, equality and maintaining the territorial integrity that guides the decision-making process between the member states opting for a peaceful co-existence among the members. This in turn paves way for their bargaining style and approach within the institution. Here, the logic

of diversity, as depicted by Hoffman, determines the nature of inter-state bargaining. In order to tackle the challenges and bring the best out of the diverse countries, the Charter further states the exclusion of discussion of the bilateral issues during their meetings and/or summits. However, the Standing committee allows to form ‘action committees’ whenever projects are involved with three or more than three members, brought by the member states itself.

Although guided by different set of feelings and sentiments, the principles of peaceful coexistence (*Panchasheel*) has been applicable to not only SAARC but most of the other regional institution regional and sub-regional institutions in Asia. This takes up to the second point. While the members continue to stick to their sovereignty and the principles of non-interference, they are often criticized to be challenged in the context of the development of institutions. Only recently, during the 34<sup>th</sup> ASEAN summit being held in Bangkok, Thailand, the issue was brought up again (Frye, 2019). The aspect of non-interference is also relatable to SAARC. For instance, when enquired about SAARC’s initiative to the recent 2019 April terrorist attack (bombings) in Sri Lanka, the norms in the Charter of non-interference and sovereignty was stated as it involved meddling with the domestic environment and sovereignty. The interviewer also stated the incompetence of the institution in preventing the act from happening or even acting out after to improve the situation. It is in these times that shows the willingness of the members

Lastly, talking about the structure (Chapter 3; Figure 3.2), the Charter in turn highlights the roles and responsibilities of each working community and members within SAARC with Council of Ministers and Standing Committee, first and second in the hierarchy list, followed by the Secretariat. The role of the Secretariat and the Secretary General as identified by the former Secretary General Abul Ahsan of SAARC is, however, quite limited, unlike other regional organizations such as the EU or the ASEAN whose prime authority lies in the hands of the Secretariat of the institution. He accounts to the unwillingness of the member states to let go off their sovereignty this soon and mentions the lack of trust among the member states that has hurdled the progress of the organization (Dash, 2012). The Secretariat and the Secretary General has to report to the Council of ministers and the Standing Committee before deciding on any change in the major areas for cooperation in SAARC. This reflects the weak

institutionalization of SAARC with structured and mostly rigid framework for cooperation. SAARC as an institution has very limited power and is thus, bounded by the decision and undertakings or in other words, orders of its member states. The norms and rules are inflexible and rigid that are effective only under SAARC meetings incorporating activities, projects and programs. Moreover, they come into consideration depending on the will of the members, as seen during the 19<sup>th</sup> summit.

In addition to this, even though the membership in SAARC has been confirmed, most of the bodies and agencies of SAARC that are constantly used as a medium of exchange within the member states and the international arena are voluntary. Thus, as a voluntary organization the agencies along with the bodies in international arena have been approached as per the need and requirement of the member states only. The mandates as well do not necessarily push for cooperation as the organization is approached by the states itself and does not bind the members to cooperate compulsively. This gives a liberty to the states to decide on their areas of cooperation as well as to step back if they do not want to cooperate. This is considered as another loophole to the development of SAARC as an effective institution.

All of the situations above have been reflected in the postpone and cancellation of summits giving it a perfect situation to analyze the strength of the cooperation with the region. The boycott of the summit not only shows the power dynamics, but also raises to the question of national security as the utmost priority to the region. This is not the first time the summits have been boycotted. In about 35 years of establishments there have been only 18 summits so far, and mostly by India (Balachandran, 2018). In addition, the summit is overall guided by the decision-making process and rules as mentioned in the Charter drafted by the states. Therefore, the members in SAARC have the power to choose the areas they want to cooperate and communicate in where they are comfortable talking about and leave out the controversial areas.

#### **4.4.1 Reflecting onto the current ongoing in SAARC: The 19<sup>th</sup>**

##### **Summit**

SAARC is taken as a pillar of ‘hope’ to South Asian members and an instrument by which the member states can build up trust and cooperation. It is

remarkable that within a short period of time, SAARC has been successful in establishing the Charter as the guiding framework and the progress seen in and during the summit is also incredible. However, many scholars and concerned authorities have noticed that the development and growth of SAARC is quite slow in terms of quality. The proliferation of agencies under or working with SAARC, the agreements signed and the treaties introduced along with projects and programmes implemented does not guarantee the full amount of effectivity in the growing relation between South Asian countries. Moreover, the cancellation of the recent summit has allowed the criticisms to flow even more strongly and has left a small room to defend SAARC as an effective institution. In an attempt to reflect on the nature of the institution based on the variables mentioned above, the following case reflects on its establishment, challenges, importance of the issue and then analyzing the situation on through theory along with explaining the current status.

#### **4.4.1.1 Case study: The cancellation of the 19<sup>th</sup> SAARC Summit**

The 18<sup>th</sup> SAARC Summit was held in Kathmandu in 2014, chaired by the Government of Nepal. Following the process, the next Chair for the 19<sup>th</sup> Summit was transferred to the Government of Pakistan to be held in 2016. However, on September 2016 in an Indian state near the town of Uri, Jammu and Kashmir, an attack was reported on the security forces killing 17 soldiers claiming it to be the deadliest attack in two decades in Kashmir since 1989. The period when the attack was held, the India-administered Kashmir was itself undergoing anti-India protests against the recent Indian rule. While this was the case, the attack blamed a terrorist group *Jaish-e-Mohammad* claiming Pakistan's involvement in terrorism (Bhattacharjee, 2016; Ahmad, Phillips & Berlinger, 2016). India revoked its participation in the 19<sup>th</sup> summit, followed by Bhutan, Bangladesh, Afghanistan, Maldives and Sri Lanka as a way to suppress terrorism within the region. After postponing a several times, Pakistan later had to cancel the event due to the increased number of boycotts stating the clause of 'unanimity' in the summit.

When SAARC was established, the member nations were very hopeful in a way that it would help foster regional cooperation within South Asia, building on the mutual trust through collaboration and foster welfare. Giving Summit meetings the highest authority along with the Charter, they decided to conduct the meetings every

year or biannually. However, there has been only 18 summits held so far in 35 years of SAARC, with the recent cancellation of the 19<sup>th</sup> summit. Despite being a summit-centric organization, the summit was cancelled and further postponed as a result of the boycott by India, followed by other members alleging Pakistan to be involved in the attack, while only one country, Nepal, stayed in a neutral position. Even though Pakistan denied the allegations, the attack sparked the old hostile atmosphere in the region, especially between India and Pakistan, now with the involvement of other 6-member states postponing the summit indefinitely. Since then, there have been silent attacks between these two countries worsening the situation. The holding of the 19<sup>th</sup> Summit still is a far cry in the region.

While the meeting was boycotted by 6 out of 8 member countries, each had their reason to not attend the summit. As stated above, India blamed Pakistan for interfering in the national territory and supporting the terrorist group, Bangladesh accused Pakistan as well for their interference in the domestic politics of Bangladesh along with raising concerns over national security. The reason of national security was also stated by Bhutan with a special emphasis on maintaining regional peace and stability, one of the 5 principles in *Panchasheel*. Similarly, Afghanistan put forward the issue of its national interest and national priority stating the involvement of the president in his own responsibility towards its own country's peace internally. While Sri Lanka and Maldives became the 5<sup>th</sup> and the 6<sup>th</sup> country, respectively, to retrieve from the summit stating the in-conducive environment. In the end, Pakistan being the elected chair had to cancel the event overall blaming India again to use the attack as an excuse and blame Pakistan in turn with an aim to divert attention from their own atrocities. It was not only the SAARC countries, but the reaction to the attack was worldwide with responses to the attack from states as well as International Organizations (Bhattacharjee, 2016).

The clauses used above include the factors of principles to which each country must abide by: the principle of non-interference and peaceful co-existence with a strong claim to ensure the national welfare and security of the country, with a special emphasis on the national interest by the member states; following the clause of all eight members to be compulsorily present in the summit. Through this event one can observe two things in particular: first, the power dynamics played by India as being the first to

cancel the meeting; second is its historical significance with Pakistan. Within this, the most important to the study, the cancellation of the summit accounts for 3 things: 1) the power of the nation states to hold the summit, reflected by its willingness to cooperate or not, 2) the Charter and its principles and 3) the articles particularly, article X in the Charter. At last, the event reflects on the abidance by the members to the Charter which strictly adheres to the norm of suppressing terrorism or any kind of terrorist activities within the region. This case also resembles to the fact that there was no action seen from the side of the regional institution or its members to the recent event of Terrorist attack in Sri Lanka in April 2019. It further reflects on the willingness and unwillingness of the member states to act. This brings us back to the theory as advocated by Hoffman stating that it's the 'choice' of the members to cooperate within the institutions or not. This rests the power upon the states as well.

Following to the principles, based on the primary interview held during the study, it was mentioned that SAARC was bounded by its principles of non-interfering in other states territory and thus respecting its sovereignty. The information further states on the importance of the summit as the cancellation has destroyed the momentum and has affected greatly to the functionality of the organization further diminishing its legality. The cancellation of the Summit can be stated as the action of domination by the states to the institution. The members do adhere to the principles but only if they are willing to. The boycotting nature reflects on the power dynamics posed by the states and thus reflects on their authority with a notion, that they can make the institution or break it up. The non-interference has revoked SAARC and its member states from three duties: first, blocks any other members from interfering in the issue; second, it retracts the states that is willing to act on the issue for better cooperation; and third, it has blocked out the role of observers in SAARC which would have played a crucial role in justifying the revival of the summit.

Similarly, the third aspect reflects on to the clause of unanimity where every member should be present for the decision-making which usually takes place during the summit. Thus, guided by the members throughout, the summit got cancelled after the member nations decided not to attend it resulting in its cancellation.

Nevertheless, this does not mean that SAARC has failed as an institution as this has not stopped the ongoing activities, projects and programmes

aimed at fostering the cooperation within the region. As seen through the regular updates in the SAARC website, press releases are being held to foster cooperation, documents and agreements signed newly within SAARC. Only recently, in the month of June 2019, meetings related to Agricultural and rural development was convened in Thimphu, Bhutan between the agricultural ministers aiming for furthering a strong regional cooperation in the sector of Food and nutrition and agriculture. Similarly, following the aim of promoting and protecting the women and children of South Asia, the Secretary General of SAARC addressed the ‘inaugural session of the SAARC Technical Consultation on Early Childhood and Women’s nutrition,’ held on 17 June 2019 (SAARC, 2019). From this we can state that even though the summit has been canceled, SAARC is still capable to function and is functioning focusing on less controversial issues that still contributes to the regional development and furthering cooperation within the system. In addition to this, realizing the importance, there have been talks of reviving the meeting of the heads of the Government through the summit. Early after the success of the 4<sup>th</sup> Summit of BIMSTEC- Bay of Bengal Initiative for Multi-sectoral Technical and Economic Cooperation, Nepal expressed its keenness on taking ahead the 19<sup>th</sup> Summit as it is still the current chair followed by the 18<sup>th</sup> SAARC Summit. Furthermore, an expert that closely follows BIMSTEC reported the importance of SAARC especially in the areas of economic and political progression in South Asia and would never be replaced by any other regional organization (“Post BIMSTEC 2018,” 2019). This supplements to the achievements of SAARC and therefore, disproves the failure of SAARC.

Similarly, the achievement of progressing from SAPTA to SAFTA in SAARC has led the way with one step taken ahead to form a South Asian Economic Union. This realization that SAARC can lead to form a South Asian identity through its common culture, history and social setting, and boosting further cooperation with the establishment of SAFTA and SAPTA, has been growing despite hurdles faced by the individual countries. As member states realize this positive development that can be attained through SAARC, cooperation has been fostered through sub-regional organization within SAARC like the Bhutan-Bangladesh-India-Nepal (BBIN) initiative, with an aim to develop the connectivity and energy sector of the region.

Thus, the case of SAARC lists all the pertinent issues explained by the theory. As the theory places an argument that the national governments, based on their preferences, hand over only a certain function to make cooperation work more effectively, similar is the case to SAARC and its member nations. This is further explained by the concept of ‘delegation of sovereignty’ where the actors remain sovereign and autonomous while the organs in the structure like the Council of Ministers work according to the commands of the actors. Furthermore, the three key aspects of Intergovernmentalism (as stated by Michelle Cini): “*Confederalism, locked in and domestic politics talks well about the intergovernmental interaction within a regional institution with an attempt to explain the initial stages in European Union*” (Cini, 2013). The third approach in this is considered another major evolutionary part of Intergovernmentalism explained by Andrew Moravcsik’s Liberal Intergovernmentalism that emphasizes on the domestic factors and the two-level game theory as advocated by Robert Putnam. However, this does not fall under the scope of the study, but a much wider scope that would assist in conducting an in-depth study. It can be further built upon the analyses through the study conducted with the elements of SAARC.

## **CHAPTER 5**

### **CONCLUSIONS AND RECOMMENDATION**

The main point of this study has been to contribute to the notion of a regional institution with its one of the key determinants being the intra-regional relations within the region and how does it impact on the institution. Here, the impact is analyzed mostly on the intangible factors like the principles, norms, processes, power and empathy that is reflected on the working mechanism, choice and decision-making ability and structures of SAARC. The study further attempts to highlight the importance of elements that make up an institution and hence determines its capacity in line with its capability. In this case, the power of the institution is not only defined by its external environment alone but also depends on the way it strives in certain environment or reacts to the challenges it faces.

Through the case of SAARC, which has been a platform to negotiate and bargain for the South Asian countries, one can understand how important the strength and capability of an institution is in fostering the inter-state relations. In this case the capacity of the institution is bounded by the regime and has limited its actions unable to reach to its full capability. However, this is a ‘two-way route’ where the capability and the functioning is affected by the relation of the member nations when the sole decision makers are the members, themselves (as reflected in Figure 2.1 (b)). Through the scholarly review, findings and analysis through theory, we can assume that SAARC is currently in a downward phase, but this does not mean that it is a complete ‘failure’ when it comes to achieving its role and responsibilities.’ One reason for its stagnant and/or its slow progress is the inter-state affairs, while it solely also depends on the institution how it manages the situation. In this case, as well, SAARC’s action remains constrained by its Charter and the principles, rules, -its regime- while it has been furthering regional cooperation but at a slower pace and in areas covering soft issues. Though it does not cover the complicated or contentious issues, it also is heavily dependent on the member states.

Likewise, the member states have developed a strong national sentiment as a result of their strong history together. They consider the Charter as their “regional

instrument” to meet their priorities and pursue their national interest. This is not at all wrong but using these issues to one’s own benefit to the level it affects other members and the institution as a whole, is unethical, and not willing to discuss and find a solution is worthless. Moreover, bearing in mind the commitments by the Head of the States or the Governments displayed through the Charter and Summit declarations, ‘the members must leave all the bilateral and contentious issues out of the meetings and deliberations,’ constrains the organization to tackle the issue. Under this context, as identified by Hoffman, the interstate bargaining capability with member states as the driving force of the formulation of norms and policies, is reflected to be very strong and determined in the national interest of the member states. As we can now say, the feelings in SAARC still reflects fear and insecurities between the member states who are concerned with their own national securities and national interest rather than the existence of peaceful, strong or trustworthy relationship amongst the member states. Equally important is to look at the diversity in power between the member states.

With the increase in number of regional institutions, the theory also tends to explain the process of decision making that highlights the importance of the member states within any intergovernmental organization. Regional institutions in Asia like the ASEAN and SAARC has emerged that could elaborate and explain the concept more closely. These regional institutions have emerged in a way that provides countries within the region to exchange partnerships, engage in activities to meet their common ends and interests and solve common problems that prevails within the region. Each member country within the regional association do not have independent powers but are powerful enough that the institutions rely on each of its members for its operation. The intergovernmental set up allows the members to share their sovereignty rather than transfer it to the institution. As stressed by Micheal Cini in her writing, these institutions are “little more than the servants of the member states” as they do have an important role, is limited only to non-controversial areas as preferred by the member states themselves (Cini, 2013). Therefore, the members cooperate and communicate only in the areas they are comfortable talking about, and leave out the controversial areas, which by default is very important for all round cooperation. This halts the progress of any institution, as ultimately the sectors of the countries are interconnected to each other and the costs or the benefits cannot be limited only to one.

Along with this, the role of the organization or the head of the organization, i.e. Secretary General must also have some authority in-line with the heads of the states that can act in terms of contentions and smaller hostilities to ensure the smooth running of the projects along with some decisive role to take the cooperation further.

### **5.1 Theoretical conclusion**

This explains the fact that institutions (if strong) are capable to boost the regional cooperation through actions, agreements and other treaties, preserve the autonomy of actors and therefore, emphasize on the institutional development, as we see in the European Union and now the budding growth can be seen in ASEAN as well. Though each region and each institution is different, the modality of cooperation and the emphasis of each remains the same: boosting regional cooperation and attaining benefits in line with the fulfillment of the national interest and welfare. The understanding of the environment and coping up with challenges remains the same and can be worked out depending on the strong desire of the member states to work together rather than against each other.

Theoretically speaking, the approach of Intergovernmentalism appear to govern the overall institutional design in SAARC. The Charter so drafted by the member states with the principle of non-intervention and *Panchasheel* too bounds the institution for not taking any action. To highlight the issue of sovereignty and the principles, during the recent ASEAN summit being held in Bangkok, even though the 34<sup>th</sup> Summit talked about contentious issues like South China Sea and Rohingya Crisis, the issue of non-interference was perceived to be a hurdle, when sovereignty was considered utmost priority by the member states (Frye, 2019). Although this is the case, we can still see the loosening of non-interference principle when it comes to weaker countries in ASEAN. One example can be seen during the 11<sup>th</sup> ASEAN Summit held in 2005 when ASEAN slowly departed from its principle of non-interference and started pressurizing the Government to Burma denouncing it. When we resemble the case in SAARC, it might be another reason to explain the underdevelopment and how the Charter has constricted SAARC in influencing decisions.

Another way to look at it is the distribution of power. The case in ASEAN was brought and advocated by strong countries like Malaysia, Thailand, and Singapore to Burma. However, in SAARC, the summit is halted and avoids the discussion as it involved the two powerful countries, against each other while the smaller nations attempt to advocate it. This also resists another principle of equality under the context of SAARC members.

Meanwhile, the confederal phase of integration in a regional organization represents the decentralized action of the actors maintaining a defensive posture within the region. The study further takes in the points reflecting the weakness of SAARC as an institution through the concept of 'locked in' in a regional institution. The idea of Joint Decision Trap by Scarpf originally attempted to explain the relation of member nations with the European Commission, highlights the important aspects of any intergovernmental organization: intergovernmental negotiations, regimes and unanimity rule prescribed in the institution. This determines the capacity of the institution not only to make decisions, but to structure the negotiations in positive direction and to what level does it have the authority to make decisions? The Secretariat of SAARC rarely has a say in the summit meetings which is highly dominated by the members. Thus, the structuring and the benefit of SAARC is also, then, retrieved by the members the way they want to leverage it. Scarpf concludes that it is the combination of these two characters that explains the workings of an institution and how the member states are 'locked in' to certain policies.

Though there are other evolved approaches that takes in the basis of Intergovernmentalism framework like the Liberal Intergovernmentalism or Pierson's Path Dependence model or even, Robert Putnam's two-level theories, the current stage can be explained by the traditional Intergovernmentalism and other approaches that branch from it with an attempt to minimize the criticism of intergovernmentalism. This identifies SAARC's inability to manage intra-regional relations in the political sector and slower progress in the social and economic development due to its regime. It explains the current phase of SAARC, as the members are still tied together despite the meetings of the Heads of the States (Summits) are cancelled. The projects and activities are still on the run. This does not deny the fact that intra-regional relations between the member states in a region cannot be better explained by other theories than

Intergovernmentalism. Concerning the current phase that SAARC is in, and reflective of the events that has been taking place within South Asia and outside the region, the above-mentioned approaches rightfully show the capacity of the institution to manage the inter-state relations in South Asia and the importance of nation states with the respect to their sovereignty. It reflects on the ongoing process of regionalism in South Asia by SAARC. Even though it is unable to cooperate effectively in the unstable political environment, the flow of establishments of agreements and conventions keep it moving even at a slower pace.

These concepts also appropriately explain the dynamics of relation between the member states when certain agreements or certain negotiations takes in place. In the current case, the member states, cannot get out of the problems and therefore are unable to cooperate effectively, regionally. Due to the hostile environment in South Asia, there has been studies suggesting 'SAARC minus One' or a single majority vote like that of the EU in some of the cases of decision making. SAARC could choose to move ahead without the unanimity clause, while for pertinent issues, the member states might take their firsthand approach. However, even to decide this, all members need to agree. This reflects on the cancellation of summits, especially, when one of the member states cancel it. This falls under the special consideration with the relation between India and Pakistan and if any problem is reported within the state, internally and therefore is unable to participate in the summits. This also in a way guarantees the importance of nation states as advocated by Intergovernmentalism and confederalism in South Asia.

## **5.2 Further potential**

Each member has to identify and understand the potential of the other. Only mentioning and acting to the principle of equality is not enough. It is an irony that South Asia is considered one of the most underdeveloped mainly due to its disputed environment, but the four-member countries of SAARC; Bangladesh, Nepal, Pakistan and India are listed in the top 10 list of the UN peacekeepers. This makes the members not only able to work on their peaceful relation but also build one and make the region politically stable.

While in the context of economic development it's also the same, as each country holds a huge potential in diverse fields. For instance, Nepal is praised for its immense yet unutilized capability in hydropower, while India in the use of ICT knowledge along with reach in other sectors. Similarly, Bhutan with the highest Gross Domestic happiness also could play a unique role. In this regard, the concept of "shared knowledge and shared expertise" remains crucial to understand and implement. The framework that advocates South-South Cooperation focusing on shared expertise and capacity building, could be taken as a learning example within South Asian region for proper utilization of resources. In addition to this, the role of observer could also put into place through the modality of South-South and triangular cooperation particularly aimed for development and boosting cooperation level. However, understanding these expertise covers an in-depth study which is outside the scope of this research. The study constricts itself on focusing on institution and the power of the elements only, emphasizing on the entity level in order not to deviate from the main scope. In addition, as mentioned above, it encourages for further study to understand the South Asian regionalism as a whole.

Through the analysis and progress so tracked with agreements and treaties, and fostered range of activities, SAARC does show its potential to emerge as a forum for peace building and negotiations as well. It provides space for policy dialogues to foster, yet one mustn't forget that SAARC policies are designed based on the national frameworks and flexibility of the member states and not the other way around. It is, however, interesting to know that some of the nation states has disagreed on the need for a common conflict mechanism through SAARC especially concerning the bilateral disputes. This clarifies their areas of collaboration that they would want to highlight through SAARC. Member countries (India, Nepal and Sri Lanka) do not seem to favor SAARC as a domain for conflict resolution. With the progress, the SAARC as a regional institution does show a potential along with the region that can be represented as a platform exchanging dialogues, negotiations and furthering diplomacy within the member. While on the other hand, as many have argued, SAARC through its framework, provides its member states with a 'regional space' for policy making and implementation at the regional level.

Last but not the least, it is imperative to understand that in the current state of globalization, coherence and interdependence remains crucial in every region to develop. In the case of South Asia, unless member states stand and act together in coherence, there is an undeniable risk of falling behind. Regardless of the critics, Intergovernmentalism, further balanced by confederalism and joint decision trap explains the on-going process of SAARC, its decision-making factors, and the fact that SAARC plays an important role to the member states in the region. This does not deny the fact that the other theories cannot.<sup>1</sup>



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<sup>1</sup> Though there are other evolved approaches that takes in the basis of Intergovernmentalism framework like the Liberal Intergovernmentalism or Pierson's Path Dependence model or even, Robert Putnam's two level theories, the current stage that especially reflects on SAARC's inability to manage intra-regional relations in the political sector and slower progress in the social and economic development due to its regime can be explained by the traditional Intergovernmentalism and other approaches that branch from this very idea of traditional Intergovernmentalism.

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## APPENDICES



## APPENDIX A

### SAARC CHARTER

#### *Charter of the South Asian Association for Regional Cooperation*

We, the Heads of State or Government of BANGLADESH, BHUTAN, INDIA, MALDIVES, NEPAL, PAKISTAN and SRI LANKA;

1. Desirous of promoting peace, stability, amity and progress in the region through strict adherence to the principles of the UNITED NATIONS CHARTER and NON-ALIGNMENT, particularly respect for the principles of sovereign equality, territorial integrity, national independence, non-use of force and non-interference in the internal affairs of other States and peaceful settlement of all disputes;
2. Conscious that in an increasingly interdependent world, the objectives of peace, freedom, social justice and economic prosperity are best achieved in the SOUTH ASIAN region by fostering mutual understanding, good neighbor-ly relations and meaningful cooperation among the Member States which are bound by ties of history and culture;
3. Aware of the common problems, interests and aspirations of the peoples of SOUTH ASIA and the need for joint action and enhanced cooperation within their respective political and economic systems and cultural traditions;
4. Convinced that regional cooperation among the countries of SOUTH ASIA is mutually beneficial, desirable and necessary for promoting the welfare and improving the quality of life of the peoples of the region;
5. Convinced further that economic, social and technical cooperation among the countries of SOUTH ASIA would contribute significantly to national and collective self-reliance;
6. Recognizing that increased cooperation, contacts and exchanges among the countries of the region will contribute to the promotion of friendship and understanding among their peoples;
7. Recalling the DECLARATION signed by their Foreign Ministers in NEW DELHI on August 2, 1983 and noting the progress achieved in regional cooperation;
8. Reaffirming their determination to promote such cooperation within an institutional framework;  
DO HEREBY AGREE to establish an organization to be known as SOUTH ASIAN ASSOCIATION FOR REGIONAL COOPERATION hereinafter referred to as the ASSOCIATION, with the following objectives, principles, institutional and financial arrangements:

*Article I*  
**OBJECTIVES**

The objectives of the ASSOCIATION shall be:

- a) to promote the welfare of the peoples of SOUTH ASIA and to improve their quality of life;
- b) to accelerate economic growth, social progress and cultural development in the region and to provide all individuals the opportunity to live in dignity and to realize their full potentials;
- c) to promote and strengthen collective self-reliance among the countries of SOUTH ASIA;
- d) to contribute to mutual trust, understanding and appreciation of one another's problems;
- e) to promote active collaboration and mutual assistance in the economic, social, cultural, technical and scientific fields;
- f) to strengthen cooperation with other developing countries;
- g) to strengthen cooperation among themselves in international forums on matters of common interests; and
- h) to cooperate with international and regional organizations with similar aims and purposes.

*Article II*  
**PRINCIPLES**

Cooperation within the framework of the ASSOCIATION shall be based on respect for the principles of sovereign equality, territorial integrity, political independence, non-interference in the internal affairs of other States and mutual benefit.

1. Such cooperation shall not be a substitute for bilateral and multilateral cooperation but shall complement them.
2. Such cooperation shall not be inconsistent with bilateral and multilateral obligations.

*Article III*  
**MEETINGS OF THE HEADS OF STATE OR GOVERNMENT**

The Heads of State or Government shall meet once a year or more often as and when considered necessary by the Member States.

*Article IV*  
**COUNCIL OF MINISTERS**

A Council of Ministers consisting of the Foreign Ministers of the Member States shall be established with the following functions:

- a) formulation of the policies of the ASSOCIATION;
- b) review of the progress of cooperation under the ASSOCIATION;
- c) decision on new areas of cooperation;
- d) establishment of additional mechanism under the ASSOCIATION as deemed necessary;
- e) decision on other matters of general interest to the ASSOCIATION.

1. The Council of Ministers shall meet twice a year. Extraordinary session of the Council may be held by agreement among the Member States.

*Article V*  
**STANDING COMMITTEE**

The Standing Committee comprising the Foreign Secretaries shall have the following functions:

- a) overall monitoring and coordination of programme of cooperation;
- b) approval of projects and programmes, and the modalities of their financing;
- c) determination of inter-sectoral priorities;
- d) mobilization of regional and external resources;
- e) identification of new areas of cooperation based on appropriate studies.

1. The Standing Committee shall meet as often as deemed necessary.
2. The Standing Committee shall submit periodic reports to the Council of Ministers and make reference to it as and when necessary for decisions on policy matters.

*Article VI*  
**TECHNICAL COMMITTEES**

Technical Committees comprising representatives of Member States shall be responsible for the implementation, coordination and monitoring of the programmes in their respective areas of cooperation.

1. They shall have the following terms of reference:
  - a) determination of the potential and the scope of regional cooperation in agreed areas;
  - b) formulation of programmes and preparation of projects;
  - c) determination of financial implications of sectoral programmes;
  - d) formulation of recommendations regarding apportionment of costs;
  - e) implementation and coordination of sectoral programmes;
  - f) monitoring of progress in implementation.
2. The Technical Committees shall submit periodic reports to the Standing Committee.

3. The Chairmanship of the Technical Committees shall normally rotate among Member States in alphabetical order every two years.
4. The Technical Committees may, *inter-alia*, use the following mechanisms and modalities, if and when considered necessary:
  - a) meetings of heads of national technical agencies;
  - b) meetings of experts in specific fields;
  - c) contact amongst recognized centers of excellence in the region.

**Article VII**  
**ACTION COMMITTEES**

The Standing Committee may set up Action Committees comprising Member States concerned with implementation of projects involving more than two but not all Member States.

**Article VIII**  
**SECRETARIAT**

There shall be a Secretariat of the ASSOCIATION.

**Article IX**  
**FINANCIAL ARRANGEMENTS**

The contribution of each Member State towards financing of the activities of the ASSOCIATION shall be voluntary.

1. Each Technical Committee shall make recommendations for the apportionment of costs of implementing the programmes proposed by it.
2. In case sufficient financial resources cannot be mobilized within the region for funding activities of the ASSOCIATION, external financing from appropriate sources may be mobilized with the approval of or by the Standing Committee.

**Article X**  
**GENERAL PROVISIONS**

1. Decisions at all levels shall be taken on the basis of unanimity.
2. Bilateral and contentious issues shall be excluded from the deliberations.

IN FAITH WHEREOF We Have Set Our Hands and Seals Hereunto.

DONE In DHAKA, BANGLADESH, On This The Eighth Day Of December Of The Year One Thousand Nine Hundred Eighty Five.

Hussain Muhammad Ershad  
**PRESIDENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH**

Jigme Singye Wangchuck  
**KING OF BHUTAN**

Rajiv Gandhi  
**PRIME MINISTER OF THE REPUBLIC OF INDIA**

Maumoon Abdul Gayoom  
**PRESIDENT OF THE REPUBLIC OF MALDIVES**

Birendra Bir Bikram Shah Dev  
**KING OF NEPAL**

Muhammad Zia-ul-Haq  
**PRESIDENT OF THE ISLAMIC REPUBLIC OF PAKISTAN**

Junius Richard Jayewardene  
**PRESIDENT OF DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA**

## **Provisional Rules of Procedure**

The Rules shall apply to the meetings of the Council of Ministers, the Standing Committee, the Programming Committee, the Technical Committees or any other *ad hoc* SAARC bodies that may be set up by the Heads of State or Government, or the Council of Ministers, or the Standing Committee.

### **COMPOSITION OF DELEGATION**

#### ***Rule 1***

1. Each State participating in the Meeting shall be represented by a Head of Delegation and other representatives of the State, as may be required.
2. The names of the representatives shall be submitted to the host country and the Secretary-General as early as possible, preferably not less than one week before the date fixed for the opening of the Meeting.

### **APPOINTMENT OF OFFICERS OF THE MEETING**

#### ***Rule 2***

The Meeting may appoint the following officers from among the representatives of the states participating in it: a Chairperson, a Vice-Chairperson and other officers for sub-committees, working groups, drafting groups.

### **ACTING CHAIRPERSON**

#### ***Rule 3***

1. If the Chairperson finds it necessary to be absent from a meeting or any part thereof, he/she shall designate the Vice-Chairperson to take his/her place.
2. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

**PARTICIPATION BY THE SECRETARY-GENERAL*****Rule 4***

The Secretary-General, or, in his/her absence, an officer of the Secretariat who shall be designated by the Secretary-General, shall act in that capacity at the Meeting.

**STATEMENT BY THE SECRETARIAT*****Rule 5***

The Secretary-General, or any officer of the Secretariat designated by the Secretary-General for the purpose, may, subject to Rule 10, make statements concerning any questions under consideration.

**CONCLUSIONS OF THE MEETING*****Rule 6***

The Meeting shall adopt a report at the conclusion of its session.

**CONDUCT OF BUSINESS*****Rule 7***

The Chairperson may declare a meeting open and permit the debate to proceed only when the representatives of at least five Member States are present. The presence of all the Member States shall be required for any decision to be taken.

**GENERAL POWERS OF THE CHAIRPERSON*****Rule 8***

1. The chairperson shall preside over the Meeting. He/she shall declare the opening and the closing of each sitting, direct the discussions, ensure observance of the Rules of Procedure, accord the right to speak and announce decisions. He/she shall rule on points of order. The Chairperson, subject to these Rules, shall have complete control of the proceedings and over the maintenance of order thereat.
2. The Chairperson in the exercise of his/her functions remains under the authority of the Meeting.

**POINTS OF ORDER*****Rule 9***

During the discussions on any matter, a representative may at any time raise a point of order, which shall be immediately decided by the Chairperson in accordance with these Rules.

**SPEECHES*****Rule 10***

1. No one may address the Meeting without having previously obtained the permission of the Chairperson. Subject to Rule 9, the Chairperson shall call upon speakers from member countries in the order in which they signify their desire to speak.

2. Debate shall be confined to the question before the Meeting and the Chairperson may call the speaker to order if his/her remarks are not relevant to the subject under discussion.
3. The Meeting may limit the time allowed to speakers and the number of times participants may speak on a question.

## **BASIC PROPOSALS**

### ***Rule 11***

All draft proposals or reports submitted to the Meeting following its last session shall constitute the basic proposals for consideration by the Meeting.

## **SUBMISSION OF OTHER PROPOSALS AND SUBSTANTIVE AMENDMENTS**

### ***Rule 12***

Other proposals and substantive amendments shall normally be introduced in writing and handed over to the Chairperson of the Meeting for circulation to delegates in the language of the Meeting. As a general rule, no proposal shall be discussed unless copies of it have been circulated to all delegations. The Chairperson may, however, permit discussion and consideration of amendments even though these have not been circulated in advance, if the Meeting so decides.

## **DECISION MAKING**

### ***Rule 13***

The Meeting shall adopt its decisions and make recommendations on the basis of unanimity.

## **LANGUAGE OF THE MEETING**

### ***Rule 14***

1. English shall be the language of the Meeting.
2. A representative may deliver his/her statement(s) in his/her national language if he/she provides for interpretation into English.

## **RECORD OF MEETING**

### ***Rule 15***

Sound recordings of the meetings of the plenary may be kept.

## **PUBLIC AND CLOSED MEETINGS**

### ***Rule 16***

1. All the meetings under SAARC shall be closed meetings.
2. If it is decided to have inaugural and closing ceremonies of some of the meetings, these shall be held in public.

**STATUS AND PARTICIPATION OF INVITEES*****Rule 17***

1. Representatives of the international organizations of the United Nations System or those international organizations outside the System with which SAARC has reached an agreement for cooperation shall be admitted as invitees to inaugural and closing ceremonies.
  2. They may also be invited to be present during discussions on proposals or projects involving collaboration with their organizations.
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**APPENDIX B**  
**THE EIGHTEEN SAARC SUMMITS**

<i>Summit</i>	<i>Host Country</i>	<i>Date</i>	<i>Major accomplishments</i>
<i>First</i>	Dhaka, Bangladesh	7-8 December, 1985	SAARC Charter was signed, and the areas of further cooperation discussed, through identification of the common problems. In terms of institutional development, the Heads jointly decided on establishing the Secretariat.
<i>Second</i>	Bangalore, India	16-17 November, 1986	SAARC Secretariat established to assist the coordination and implementation of activities. Areas of cooperation were further added to the IPA. South Asian Broadcasting program launched to further cooperation. Special consideration was made in for the Least Developing Countries in terms of economic negotiations and treaties.
<i>Third</i>	Kathmandu, Nepal	2-4 November, 1987	Emphasis on South-South Cooperation was laid in an effort to institutionalize SAARC. More economic oriented goals were recognized.
<i>Fourth</i>	Islamabad, Pakistan	29-31 December, 1988	More socially focused. Establishments of 'Convention on Convention on Suppression and terrorism'; declaring 1989 the "SAARC Year for Combating Drug Abuse and Drug Trafficking"; declaring 1990 "SAARC year of the Girl Child".
<i>Fifth</i>	Male, Maldives	21-23 November, 1990	Issues of Environment taken under special consideration, and agreements regarding climate change and environment concerns discussed accordingly.

<i>Summit</i>	<i>Host Country</i>	<i>Date</i>	<i>Major accomplishments</i>
<i>Sixth</i>	Colombo, Sri Lanka	21 December, 1991	Emphasized more on international forum and multilateral negotiations giving SAARC members ability to develop more collective position as a South Asian country. Importance of people-to-people relation was re-iterated with emphasis being made on SAARC as a people-centric organization.
<i>Seventh</i>	Dhaka, Bangladesh	10-11 April, 1993	Challenges were identified. Issues to strengthen SAARC's capability as an institution were discussed along with plans to further enhance it.
<i>Eighth</i>	New Delhi, India	2-4 May, 1995	The Member states celebrated the Second decade of SAARC's establishment. Plans to establish SAPTA were laid. Introduction of new endorsements: South Asian Development Fund (SADF)- established in 1996.
<i>Ninth</i>	Male, Maldives	12-14 May, 1997	A group of Eminent Persons (GEP) was constituted representing each member states from distinguished backgrounds to further regional cooperation. 1997 designated as SAARC year of Participatory governance.
<i>Tenth</i>	Colombo, Sri Lanka	29-31 July, 1998	SAARC Chamber of Commerce and Industry (SCCI) and SAARC Law was established.
<i>Eleventh</i>	Kathmandu, Nepal	4-6 January, 2002	Vision of forming South Asian Economic Union (SAEU) was laid for the establishment of SAFTA. SAARC took more a form of result oriented and a business-like meeting. SAARC Social Charter was initiated.
<i>Twelfth</i>	Islamabad, Pakistan	2-4 January, 2004	2004 declared as "SAARC Awareness Year for TB and HIV/AIDS" to spread awareness

<i>Summit</i>	<i>Host Country</i>	<i>Date</i>	<i>Major accomplishments</i>
			and propose further multilateral collaboration in this area. Emphasis on Article VII and X of the SAARC Charter was laid for sub-regional cooperation like BBIN (Bhutan-Bangladesh-India-Nepal).
<i>Thirteenth</i>	Dhaka, Bangladesh	12-13 November, 2005	The need to strengthen SAARC's institutional capability through its review was highlighted. SAARC Arbitration Council (SARCO) and SAARC Development Fund (SDF) was formed. With an aim to enhance cooperation in health through technology, telemedicine network was launched.
<i>Fourteenth</i>	New Delhi, India	3-4 April, 2007	Member states celebrated the second decade of SAARC with a transformation of SAARC from 'declaratory to implementation' phase. Afghanistan was added as the new member of SAARC alongwith 6 observers: China, Japan, Republic of Korea, USA, the EU, Iran. Three key areas of cooperation were identified; physical connectivity, economic and security connectivity. South Asian University (SAU) and SAARC Food Bank was established.
<i>Fifteenth</i>	Colombo, Sri Lanka	2-3 August, 2008	Emphasis for accessibility and availability of food and agricultural development was laid, specifically addressing the need for food and nutritional security in the region.
<i>Sixteenth</i>	Thimphu, Bhutan	28-29 April, 2010	The Summit marked the 'Silver Jubilee' of SAARC. Topic of Climate change was discussed, and SAARC Convention on Cooperation on Environment was established.

<i>Summit</i>	<i>Host Country</i>	<i>Date</i>	<i>Major accomplishments</i>
<i>Seventeenth</i>	Addu City, Maldives	10-11 November, 2011	Theme of 'building bridges' was selected as the states realized the economic gap between them. It emphasized on attaining equality gap.
<i>Eighteenth</i>	Kathmandu, Nepal	26-27 November, 2014	Key factors to promote energy, connectivity and infrastructural development was laid. Observers played a more active role where they offered new collaboration like China's AIIB (Asian Infrastructure and Investment Bank)

*Source: SAARC Declarations; published by the Ministry of External Affairs of the Government of India (Retrieved from the SAARC Declarations in SAARC library, SAARC Secretariat, Kathmandu, Nepal)*

**APPENDIX C**  
**TREATIES AND AGREEMENTS; AGENCIES RELATED TO**  
**SAARC<sup>11</sup>**

- A. Conventions: Charters and Agreements.
1. Agreement for Establishment of South Asian University
  2. SAARC Convention on Preventing and Combating Trafficking In Women and Children for Prostitution
  3. SAARC Convention on Mutual Assistance in Criminal Matters
  4. SAARC Social Charter
  5. Protocol of Accession of Islamic Republic of Afghanistan to SAFTA
  6. SAARC Plan of Action on Poverty Alleviation
  7. Charter of the SAARC Development Fund
  8. SAARC CHARTER & Provisional Rules of Procedure
  9. Additional Protocol to the SAARC Regional Convention on Suppression of Terrorism
  10. Agreement on the Establishment of South Asian Regional Standards Organization
  11. Memorandum of Understanding on the Establishment of the Secretariat
  12. Agreement on South Asian Free Trade Area (SAFTA)
  13. SAARC Convention on Cooperation on Environment
  14. Agreement on Establishing the SAARC Food Security Reserve
  15. SAARC Agreement on Mutual Administrative Assistance in Customs Matters
  16. SAARC Agreement on Trade in Services
  17. SAARC Regional Convention on Suppression of Terrorism
  18. Agreement for Establishment of SAARC Arbitration Council
  19. SAARC Agreement on Multilateral Arrangement on Recognition of Conformity Assessment
  20. Headquarters Agreement of SAARC Secretariat
  21. Agreement on Avoidance of Double Taxation and Mutual Administrative Assistance in Tax Matters

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<sup>11</sup> Details retrieved from the website of SAARC

22. Agreement on Establishing the SAARC Seed Bank
23. SAARC Convention on Narcotic Rugs and Psychotropic Substances
24. Declaration on the Admission of the Islamic Republic of Afghanistan into SAARC
25. SAARC Agreement on Rapid Response to Natural Disasters
26. Agreement on SAARC Preferential Trading Arrangement (SAPTA)
27. Agreement on Establishing the SAARC Food Bank
28. Agreement on Implementation of Regional Standards
29. SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia

#### **B. Regional Centers of SAARC**

<b>Regional Centers of SAARC</b>	<b>Location</b>
Agricultural Centre (SAC)	Dhaka, Bangladesh
Metrological Centre (SMRC)	Dhaka, Bangladesh
Tuberculosis and HIV AIDS Centre (STAC)	Kathmandu, Nepal
Documentation Centre (SDC)	New Delhi, India
Human Resource Development Centre (SHRDC)	Islamabad, Pakistan
Coastal Zone Management Centre (SCZMC)	Male, Maldives
Information Centre (SIC)	Kathmandu, Nepal
Energy Centre (SEC)	Islamabad, Pakistan
Disaster Management Centre (SDMC)	New Delhi, India
Forestry Centre (SFC)	Thimpu, Bhutan
Cultural Centre (SCC)	Colombo, Sri Lanka
Development Fund (SDF)	Thimpu, Bhutan

*Source: Kumari, 2016*

#### **C. SAARC recognized bodies**

Association of Management and Development Institutions in South Asia (**AMDISA**)

South Asian Association for Regional Cooperation of Architects (**SAARCH**)

#### **D. SAARC Specialized bodies**

Federation of State Insurance Organizations of SAARC Countries (**FSIO**)

SAARC Diploma Engineers Forum (**SDEF**)

Radiological Society of SAARC Countries (**RSSC**)

SAARC Teachers Federation (**STF**)

SAARC Surgical Care Society (**SSCS**)

South Asia Free Media Association (**SAFMA**)

SAARC Women's Association (**SWA**)

Hindukush Himalayan Grassroots Women's Natural Resources Management (**HIMAWANTI**)

Federation of Association of Pediatric Surgeons of SAARC Countries (**FAPSS**)

South Asian Federation of Exchanges (**SAFE**)

SAARC Federation of Oncologists (**SFO**)

South Asia Association of National Scout Organization (**SAANSO**)

South Asian Network of Economic Research Institute (**SANEI**)

SAARC Academy of Ophthalmology (**SAO**)

South Asian Women Development Forum (**SAWDF**)

Self Employed Women Association (**SEWA**)

1. SAARC Arbitration Council (**SARCO**)
2. South Asian University (**SAU**)
3. SAARC Development Fund (**SDF**)
4. Secretariat and SAARC Regional Standards Organization (**SARSO**)

#### **E. SAARC Apex bodies**

1. SAARC Chamber of Commerce & Industry (**SCCI**)
2. South Asian Association for Regional Cooperation in Law (**SAARCLAW**)
3. South Asian Federation of Accountants (**SAFA**)
4. South Asia Foundation (**SAF**)
5. Foundation of SAARC Writers and Literature (**FOSWAL**)
6. South Asia Initiative to End Violence Against Children (**SAIEVAC**)

## APPENDIX D

### QUESTIONNAIRE FOR THE SEMI-STRUCTURED INTERVIEW

1. What according to you is SAARC and what role does it play in the region?
2. How do you resemble SAARC with other regional organizations?
3. Describe the functionality of SAARC in the region? What are the challenges mainly faced in the region by SAARC?
4. How do you think regional cooperation institutions like SAARC play a role in managing the intra-regional relations amongst the member nations?
5. How are decisions being made within the organization? Does the Charter and Summits play an important role in making, or implementing these decisions?
6. How important are the summits for the organization or the region or both?

If in case the summits are forwarded from the given date, which it has, how do the organization accommodate it? How has it been, or will it be managed or monitored? Who is responsible for monitoring the events and the things that are discussed in the summit?

Does SAARC Charter play a role in these situations? If so, how? Also, what role does the organization play if there are any uncanny or irregular activities (unpredicted activities)?

7. How are the outside actors like international organizations like the UN and/or other observers involved in the workings of SAARC?
8. Has the regional forum been used by the member states for the issues in the context of cooperation, voluntarily? If so, how or what are they?
9. What are the major problems SAARC as a regional organization is facing or has been facing? (at least 3)

*(The questions followed the structure but were discussed rather than answered in a question and answers basis. It took in context with the recent events that touched upon the political aspects which the interviewee did not wish to further the conversation.)*

## BIOGRAPHY

Name	Ms. Bibhuti Kiran Ghimire
Date of Birth	April 13, 1993
Educational Attainment	2015: Bachelor's in Development Studies
Work Position	Student
Scholarship (If any)	Thammasat University Scholarship for Academic Year 2017
Publications	Ghimire, B.K. (2015). "Role of Autism Care Nepal Society (ACNS) in providing education and social security to Children with Autism." <i>Sambriddhi. Vol. IV. Issue 6. pp. 31-37. ISSN 2091:2641</i>
Work Experiences	Intern, United Nations Office for South South Cooperation (UNOSSC), Bangkok May-October, 2019  Intern, United Nations Development Coordination Office (UNDCO), Bangkok September-October, 2019  Project Coordinator, Ujyalo Foundation, Nepal March-October, 2016