

ARBITRATION UNDER ANNEX VII OF THE UNITED NATIONS
CONVENTION ON THE LAW OF THE SEA



REPUBLIC OF THE PHILIPPINES

v.

PEOPLE'S REPUBLIC OF CHINA

MEMORIAL OF THE PHILIPPINES

VOLUME V
ANNEXES

30 MARCH 2014

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中华人民共和国政府 关于领海的声明

(一九五八年九月四日)

中华人民共和国政府宣布：

(一)中华人民共和国的领海宽度为十二海里(浬)。这项规定适用于中华人民共和国的一切领土,包括中国大陆及其沿海岛屿,和同大陆及其沿海岛屿隔有公海的台湾及其周围各岛、澎湖列岛、东沙群岛、西沙群岛、中沙群岛、南沙群岛以及其他属于中国的岛屿。

(二)中国大陆及其沿海岛屿的领海以连接大陆岸上和沿海岸外缘岛屿上各基点之间的各直线为基线,从基线向外延伸十二海里(浬)的水域是中国的领海。在基线以内的水域,包括渤海湾、琼州海峡在内都是中国的内海。在基线以内的岛屿,包括东引岛、高登岛、马祖列岛、白犬列岛、乌岫岛、大小金门岛、大担岛、二担岛、东椴岛在内,都是中国的内海岛屿。

(三)一切外国飞机和军用船舶,未经中华人民共和国政府的许可,不得进入中国的领海和领海上空。

任何外国船舶在中国领海航行,必须遵守中华人民共和国政府的有关法令。

(四)以上(二)(三)两项规定的原则同样适用于台湾及其周围各岛、澎湖列岛、东沙群岛、西沙群岛、中沙群岛、南沙群岛以及其他属于中国的岛屿。

台湾和澎湖地区现在仍然被美国武力侵占,这是侵犯中华人

民共和国领土完整和主权的非法行为。台湾和澎湖等地尚待收复,中华人民共和国政府有权采取一切适当的方法,在适当的时候,收复这些地区,这是中国的内政,不容许外国干涉。

关于台湾问题的声明

（一）台湾自古以来就是中国的领土，早在秦汉时期，中国中央政府就设立了行政机构，行使管辖权。1949年，中国人民解放军取得全国大陆解放，国民党政府迁往台湾，但并未改变台湾作为中国领土一部分的事实。1971年，联合国大会第2758号决议恢复了中华人民共和国在联合国中的合法席位，这充分证明了中华人民共和国政府是代表全中国的唯一合法政府。任何国家与台湾当局进行官方往来都是对中国主权的严重挑战，是不可接受的。我们重申，台湾问题是中国的内政，不容许任何外国势力干涉。我们愿在坚持一个中国原则的基础上，通过和平方式实现国家统一。

Declaration of the Government of the People's Republic of China on China's Territorial Sea

(September 4, 1958)

The Government of the People's Republic of China declares:

1. The breadth of the territorial sea of the People's Republic of China shall be twelve nautical miles. This provision applies to all territories of the People's Republic of China, including the Chinese mainland and its coastal islands, as well as Taiwan and its surrounding islands, the Penghu Islands, the Dongsha Islands, the Xisha Islands, the Zhongsha Islands, the Nansha Islands and all other islands belonging to China which are separated from the mainland and its coastal islands by the high seas.
2. China's territorial sea along the mainland and its coastal islands takes as its baseline the line composed of the straight lines connecting base-points on the mainland coast and on the outermost of the coastal islands; the water area extending twelve nautical miles outward from this baseline is China's territorial sea. The water areas inside the baseline, including Bohai Bay and the Chiungchow Straits, are Chinese inland waters. The islands inside the baseline, including Tungyin Island, Kaoteng Island, the Matsu Islands, the Paichuan Islands, Wuchiu Island, the Greater and Lesser Quemoy Islands, Tatan Island, Erhtan Island and Tungting Island, are islands of the Chinese inland waters.

3. No foreign vessels for military use and no foreign aircraft may enter China's territorial sea and the air space above it without the permission of the Government of the People's Republic of China.

While navigating Chinese territorial sea, every foreign vessel must observe the relevant laws and regulations laid down by the Government of the People's Republic of China.

4. The principles provided in paragraphs(2) and (3) likewise apply to Taiwan and its surrounding Islands, the Penghu Islands, the Dongsha islands, the Xisha Islands, the Zhongsha Islands, the Nansha Islands, and all other islands belonging to China.

The Taiwan and Penghu areas are still occupied by the United States by armed force. This is an unlawful encroachment on the territorial integrity and sovereignty of the People's Republic of China. Taiwan, Penghu and such other areas are yet to be recovered, and the Government of the People's Republic of China has the right to recover these areas by all suitable means at a suitable time. This is China's internal affair, in which no foreign interference is tolerated.

Annex 104

“China’s Indisputable Sovereignty Over the Xisha and Nansha Islands”, *Beijing Review*, No. 7 (18 Feb. 1980)

No. 7 February 18, 1980

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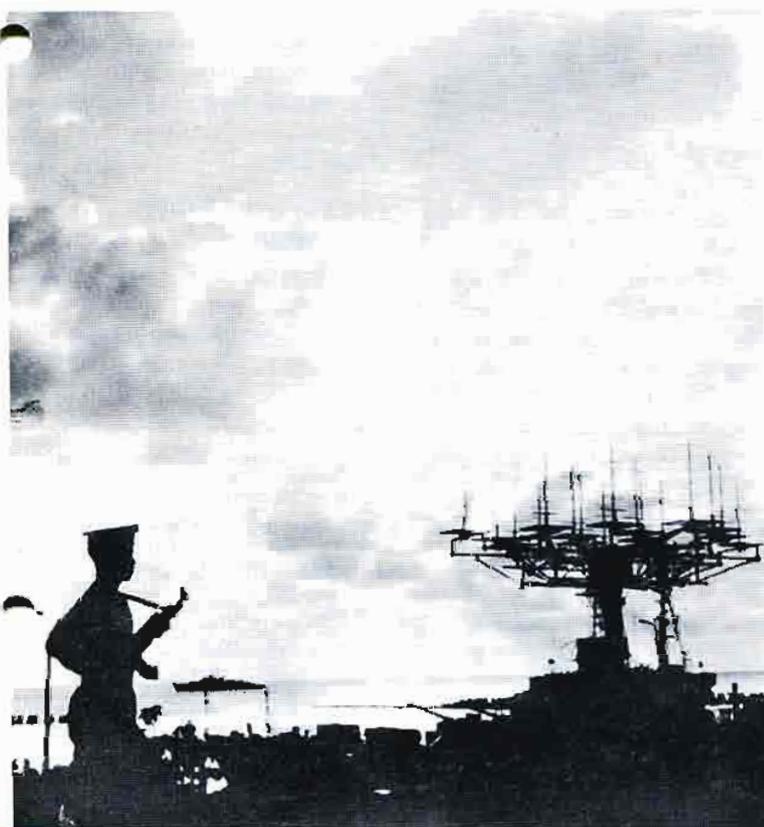
China's Indisputable
Sovereignty Over Xisha
And Nansha Islands



Make Every Day Count
In the 80s



Mounting Tension on Kampu-
chean-Thai Border



ARTICLES & DOCUMENTS

China's Indisputable Sovereignty Over the Xisha And Nansha Islands

On January 30, the Ministry of Foreign Affairs of China published a document which, by citing numerous historical records and official documents, proves China's indisputable sovereignty over Xisha and Nansha Islands and explodes the fallaciousness of the Vietnamese authorities' claims in this regard. Following is the full text.—Ed.

THE Xisha and Nansha Islands are two large island groups in the South China Sea. Like the Dongsha and Zhongsha Islands, they have been China's territory since ancient times. This is not only proved by numerous Chinese and foreign historical records, documents, maps and cultural relics of ancient or modern times, but also recognized by many countries and extensive world opinion. These island groups were for a time in modern history illegally seized by foreign countries, but this in no way changes the historical fact and legal basis of their belonging to China.

The Vietnamese authorities cherish regional hegemonic and expansionist designs. While stepping up aggression and expansion in Indochina and Southeast Asia, they illegally occupied some islands of China's Nansha island group in 1975 and flagrantly laid a territorial claim to China's Xisha and Nansha Islands, reversing their earlier position of recognizing these islands as Chinese territory. On September 28, 1979 the Vietnamese Foreign Ministry issued a White Book entitled *Viet Nam's Sovereignty Over the Huang Sa and Truong Sa Archipelagoes*, in which it pieced together or contrived some self-contradictory and utterly untenable "proving materials" in a vain attempt to find legal grounds for their illegal occupation and expansionist designs. This is completely futile.

It is impermissible to falsify historical facts or trample upon principles of international

law. Here we cite authentic historical records and official documents to refute and explode the lies of the Vietnamese authorities and clearly prove the indisputable sovereignty of the People's Republic of China over the Xisha and Nansha Islands.

(1) The Xisha and Nansha Islands Have Been China's Territory Since Ancient Times

As early as the 2nd century B.C., at the time of Emperor Wu Di of the Han Dynasty, Chinese people began sailing the South China Sea. After long years of navigation, they discovered successively the Xisha and Nansha Islands. The geographical features of these islands are described in *Nan Zhou Yi Wu Zhi* (Strange Things of the Southern Provinces) by Wan Zhen and *Fu Nan Zhuan* (An Account of Fu Nan) by Kang Tai, both of which were written in the Three Kingdoms period (220-265)*.

After the discovery of the Xisha and Nansha Islands, groups of Chinese people, surmounting all kinds of difficulties, came to visit and develop them. Their voyages to the Xisha and Nansha Islands and their productive activities there during more than 1,000 years and the location and distribution of these islands are recorded in *Meng Liang Lu* (Record

* Wan Zhen in his *Nanzhou Yi Wu Zhi* (Strange Things of the Southern Provinces) wrote about the navigation route from the Malay Peninsula to the mainland of China in the Han Dynasty: "... going northeastward, one reaches Daqitou and then sails through Zhang Hai, which is shallow and has a lot of lodestones underneath." Zhang Hai was the name for the present South China Sea. The lodestones referred to are the then submerged sand cays and reefs of the Xisha and Nansha Islands. They were called "lodestones" because ships were liable to be stranded on them and unable to extricate themselves. Kang Tai in his *Fu Nan Zhuan* (An Account of Fu Nan) wrote: "In Zhang Hai there are coral islands with flat base rocks, on which coral grows."



ANNEX 1: Record in "Wu Jing Zong Yao" (Outline Record of Military Affairs) of the Northern Song Dynasty about the patrol of the "Guangnan Fleet" reaching Jiuruluozhou.

Along with the exploitation and development of the Xisha and Nansha Islands by Chinese people, the successive Chinese governments exercised jurisdiction over them.

As early as the Northern Song Dynasty (960-1127), Chinese naval patrols reached the Xisha Islands. It is recorded in *Wu Jing Zong Yao* (Outline Record of Military Affairs)*, to which the Northern Song Emperor Ren Zong (1023-1063) personally wrote a preface, that the Northern Song court "ordered patrols by imperial forces and the building of a barracks for naval patrols" in Guangnan (now Guangdong), "commissioned the building of keeled sea-faring warships" which, "sailing in the southwestern direction from Tunmenschan, with a fair east wind, can reach Jiuruluozhou

in seven days." (See annex 1.) Jiuruluozhou was the name for today's Xisha Islands. It shows that the Northern Song court already put the Xisha Islands under its jurisdiction and therefore dispatched naval "warships" to patrol them.

Early in the Yuan Dynasty, an astronomical observation was carried out at 27 places throughout the country. In the 16th year of the reign of Zhiyuan (1279) Kublai Khan or Emperor Shi Zu, personally assigned Guo Shoujing, famous astronomer and Deputy Director of the Astronomical Bureau**, to do the observation in the South China Sea. According to the official *History of the Yuan Dynasty*, Nanhai, Guo's observation point, was "to the south of Zhuya" and "the result of the survey showed that the latitude of Nanhai is 15°N." The astronomical observation point Nanhai was on

* *Wu Jing Zong Yao* (Outline Record of Military Affairs) was authoritative literature of the Song Dynasty, which records the military system and major affairs in national defence. It was edited by Ding Du, Deputy Prime Minister and concurrently Minister of Works, and Zeng Gongliang, Royal Attendant in Tian Zhang Ge, a title equivalent to a privy councillor.

** The Chinese name of the title was "Tong Zhi Tai Shi Yuan Shi."

of a Daydreamer) of the Song Dynasty, *Dao Yi Zhi Lue* (Brief Account of the Islands) of the Yuan Dynasty, *Dong Xi Yang Kao* (Studies on the Oceans East and West) and *Shun Feng Xiang Song* (Fair Winds for Escort) of the Ming Dynasty, *Zhi Nan Zheng Fa* (Compass Directions) and *Hai Guo Wen Jian Lu* (Records of Things Seen and Heard About the Coastal Regions) of the Qing Dynasty and *Geng Lu Bu* (Manuals of Sea Routes) of fishermen of various generations. In these works, the Xisha and Nansha Islands were variously named Jiuruluozhou (nine isles of cowry), Shitang (rocky reefs), Qianlishitang (thousand-li rocky reefs), Wanlishitang (ten thousand-li rocky reefs), Changsha (long sand cays), Qianlichangsha (thousand-li sand cays) and Wanlichangsha (ten thousand-li sand cays), and the numerous islands, reefs, sand cays and banks of these two archipelagoes were also given many descriptive names. In recent years, there have been discovered in the Xisha Islands ruins of living quarters, pottery and porcelain utensils, iron knives, iron cooking pots, and other articles of daily use belonging to the Tang and Song Dynasties, and wells, shrines, tombs and other relics of the Ming and Qing Dynasties. These facts prove that, since at least the Tang and Song Dynasties, Chinese people have lived on the Xisha and Nansha Islands and engaged in fishing and other productive activities there.

today's Xisha Islands". It shows that Xisha Islands were within the bounds of China at the time of the Yuan Dynasty.

During the Ming and Qing Dynasties, the officially compiled local chronicles *Guangdong Tong Zhi*, *Qiongzhoufu Zhi* and *Wanzhou Zhi* all record, in the section of "territory" or "geography, mountains and waters," that "Wanzhou covers Qianlichangsha (thousand-li sand cays) and Wanlishitang (ten thousand-li rocky reefs)." This shows that at the time, the Xisha and Nansha Islands were under the administration of Wanzhou of Qiongzhou Prefecture (now Wanning and Lingshui Counties, Hainan Island), Guangdong Province.

In the 49th to 51st years of the reign of Kangxi (1710-12) of the Qing Dynasty, Wu Sheng, Vice-Admiral of the Guangdong Fleet led a naval patrol and "went personally on an inspection tour, setting out for Qiongya, rounding Tonggu and passing through Qizhouyang and Sigengsha, covering 3,000 li**." The Qizhouyang (sea of seven islands) mentioned here refers to the sea area around the Xisha Islands, whose patrol was the responsibility of the Guangdong Fleet. In the book *Shi Xi Ji Cheng* (Travel Notes of an Envoy to the West) by Guo Songtao, the Qing Dynasty Minister to Britain, the account of his voyage to his post made in 1876 includes this passage: "By noon on the 24th day of the tenth moon, 2nd year of the reign of Guangxu, the ship had sailed 831 li and reached 17 degrees 30 minutes north of the Equator, 200 to 300 li south of Qiongzhou. The sailors called this place China Sea... Nearby to the left were the Paracel Islands [the Xisha Islands] which yielded sea slugs, and also coral, which was not of very good quality. These islands belong to China."

In the 9th year of the reign of Guangxu (1883), Germany carried out surveys on the Xisha and Nansha Islands but had to stop them under the protest of the Qing Government.

The fact that the Xisha and Nansha Islands have been China's territory since ancient times is not only recorded in a large number of history books and local chronicles but also corroborated by many official maps, e.g., *Huang Qing Ge Zhi Sheng Fen Tu* (Map of the Provinces Directly Under the Imperial Qing Authority) made in the 20th year of Qianlong (1755), *Da Qing Wan Nian Yi Tong Di Li Quan Tu* (Map of the Eternally Unified Great Qing Empire) made in the 15th year of Jiaqing (1810) and *Da Qing Yi Tong Tian Xia Quan Tu* (Map

of the Unified Territory of the Great Qing Empire) made in the 22nd year of Jiaqing (1817).

In the fourth moon of the first year of Emperor Xuantong (1909), Zhang Renjun, Governor of Guangdong and Guangxi, sent Li Zhun, Admiral of the Guangdong Fleet, with more than 170 naval officers and men on an inspection tour of the Xisha Islands in three warships, the *Fubo*, the *Guangjin* and the *Shenhang*. They inspected 15 islands and set up stone tablets engraved with the names of the islands. They hoisted the flag and fired a salvo on Yongxing Island by way of reasserting Chinese sovereignty.

In 1911 the Chinese Guangdong provincial government announced the putting of the Xisha Islands under the administration of Yaxian County, Hainan Island. In 1921 the Ministry of Interior of the Chinese Government approved a license for He Ruinian, a merchant of Guangdong Province, to engage in fishing, plantation and mining on the Xisha Islands. Later he was found to have transferred the license to Japanese merchants, and the license was withdrawn.

In May 1928 the Guangdong provincial government sent a study group consisting of military and civil officers, scientists and technicians to go to the Xisha Islands by warship to make investigations on the spot. The group submitted a detailed report on the results of the investigations.

* Guo Shoujing then was responsible for the work of establishing astronomical observation points within the bounds of China in the Yuan Dynasty. The Nanhai observation point was "to the south of Zhuya," that is, to the south of Hainan Island. The result of their survey was: "The latitude of Qiongzhou is 19.75°N"; "The latitude of Nanhai is 15°N." This shows that the Nanhai observation point was more than 4 degrees south of Qiongzhou observation point on Hainan Island, which is exactly the location of the Xisha Islands of today. Owing to technological limitations at that time, the north latitudes obtained of most of the 27 observation points showed an error of about one degree as compared with their present latitudes. Since according to the system of the Yuan Dynasty a circumference was divided into 365.25 degrees instead of 360 degrees as at present, the then 15°N for the Nanhai observation point should actually be 14°47'N, and discounting the error of about one degree, its location is precisely on the Xisha Islands of today.

** See volume 56 of *Quan Zhou Fu Zhi* (History of Quanzhou), written during the reign of Qianlong of the Qing Dynasty.

The above historical facts fully prove that China was the first to discover, develop and administer the Xisha and Nansha Islands. Consecutive jurisdiction was exercised over them by successive Chinese Governments for more than 1,000 years. The Chinese are indisputable owners of these island groups.

(2) China's Struggle in Defence of Its Sovereignty Over the Xisha and Nansha Islands

For a period of time after the establishment of its colonial rule in Viet Nam towards the end of the 19th century, France still recognized China's sovereignty over the Xisha Islands. In connection with the Xisha Islands, the French Premier and Foreign Minister Aristide Briand admitted on August 22, 1921 "the impossibility in which we currently find ourselves to claim these Islands as the Chinese Government has since 1909 exercised its rights to their ownership [referring to the above-mentioned inspection tour of the Xisha Islands by Li Zhun]." In 1929 French Acting Governor-General in Indochina also conceded that "according to reports from various sources, the Paracels [the Xisha Islands] should be regarded as belonging to China*.

But the then French colonialists, covetous of Chinese territory and aware of the great strategic importance of the Xisha Islands, tried to seize these islands by taking the opportunity of Japanese aggression against China's northeastern provinces starting with the September 18th Incident of 1931. In a note addressed to the Chinese Legation in France on December 4 the same year, the French Government asserted that the Empire of Annam had a so-called "prior title" to the Xisha Islands, thus flagrantly laying a territorial claim to these Chinese Islands. The then Chinese Government gave a rebuttal in categorical terms, pointing out that the Xisha Islands had long been under China's jurisdiction. In his note of November 30, 1932 to the French Consul in Guangzhou, Zhu Zhaoxin, Special Inspector of the Ministry of Foreign Affairs of the Chinese Government, again affirmed that "there is no doubt whatsoever that the Xisha Islands are part of China's territory."

However, the then French authorities went a step further and invaded and occupied nine

of China's Nansha Islands in 1933. The Chinese people rose in protest, and the then Chinese Government made strong representations to the French authorities through diplomatic channels.

A "Committee for the Examination of Land and Sea Maps" composed of the representatives of the Chinese Foreign, Interior and Naval Ministries and other institutions in 1934-35 specially checked and approved the names of the South China Sea Islands and compiled and printed the *Map of the South China Sea Islands*, on which the Dongsha, Xisha, Zhongsha and Nansha Islands were clearly marked as belonging to China.

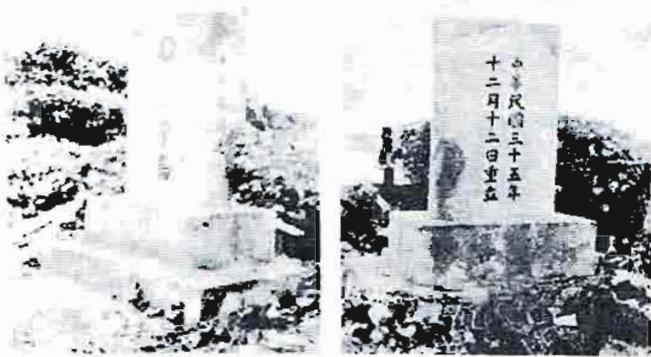
During World War II, Japan invaded and occupied the Xisha and Nansha Islands in 1939. Following the Japanese surrender in 1945, the then Chinese Government in November and December 1946 designated senior officials to proceed to the Xisha and Nansha Islands by warships to take over these islands, where take-over ceremonies were held and stone tablets erected (see annex 2) and troops garrisoned. These were followed by the renaming of the Dongsha, Xisha, Zhongsha and Nansha Islands and their various islands, sand cays, reefs and banks. Thus, the Xisha and Nansha Islands, once illegally seized by foreign powers, were restored to the jurisdiction of the Chinese Government.

After the founding of the People's Republic of China, Foreign Minister Zhou Enlai, in his Statement on the U.S.-U.K. Draft of Peace Treaty With Japan and the San Francisco Conference, solemnly declared on August 15, 1951 that, like the Dongsha and Zhongsha Islands, the Xisha and Nansha Islands "have always been China's territory," that "although they had been occupied by Japan for some time during the war of aggression waged by Japanese imperialism, they were all taken over by the then Chinese Government, following Japan's surrender," and that "whether, or not the U.S.-U.K. draft treaty contains provisions on this subject and no matter how these provisions are worded," China's sovereignty over the Xisha and Nansha Islands "will not be in any way affected."

Thereafter, the Government and Foreign Ministry of the People's Republic of China have issued many solemn statements opposing foreign infringement on China's sovereignty over the Xisha and Nansha Islands and reaffirming

* See *Review of Foreign Affairs*, April 1934, p. 77.

附件二



ANNEX 2: When the Chinese government officials and naval officers and men took over the Nansha Islands in December 1946, they had a photo taken on Taiping Island as a memento and erected a stone tablet to reassert China's sovereignty over these islands. The photo below (left) shows the front of the stone tablet and the one below (right) shows its back.

firming China's inviolable sovereignty over them.

Since the founding of the People's Republic of China, the Chinese Government and people have continued to administer and develop the Xisha and Nansha Islands. From 1950 to 1956, large numbers of fishermen from Qionghai County, Guangdong Province, continually went to the Nansha Islands for fishing. The departments concerned of the Hainan Administrative Area of Guangdong Province have continually sent people to the Xisha Islands for surveys, collection of marine products and guano and the setting up of a meteorological station, and exercised administration over the fishermen on the Xisha Islands. In March 1959 the Hainan Administrative Area set up on Yongxing Island of the Xisha Islands an "Office of the Xisha, Nansha and Zhongsha Islands," which in March 1969 was renamed the "Revolutionary Committee of the Xisha, Zhongsha and Nansha Islands of Guangdong Province."

In January 1974 the Chinese People's Liberation Army and militia drove out the troops of the South Vietnamese authorities in

Saigon who had invaded the Xisha Islands and thus defended China's sovereignty and territorial integrity.

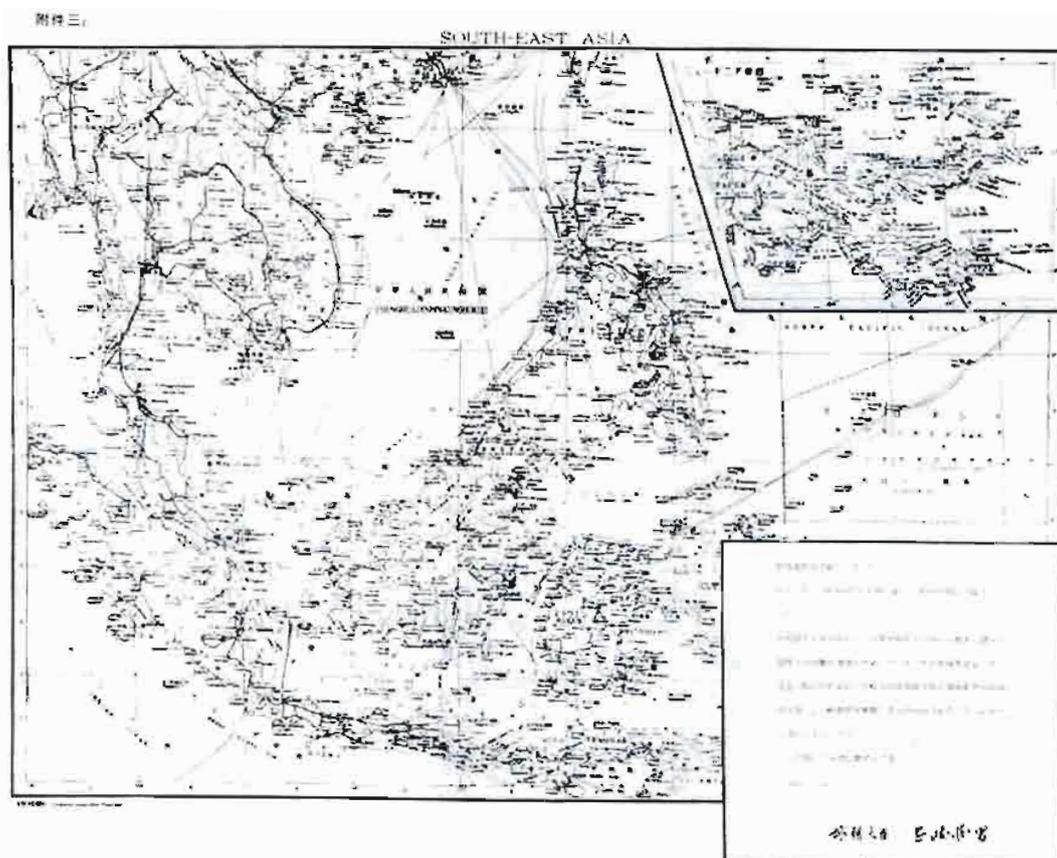
For years the Taiwan authorities of China have maintained a military garrison on Taiping Island, the biggest among the Nansha Islands.

(3) China's Sovereignty Over the Xisha and Nansha Islands Is Widely Acknowledged Internationally

Many countries and world opinion recognize the fact that the Xisha and Nansha Islands are part of China's territory.

In April 1930 the Far East Conference on Meteorology held in Xianggang (Hong Kong), with the participation of the representatives of China, France, the Philippines and the Xianggang authorities, adopted a resolution requesting the Chinese Government to establish a meteorological observation station on the Xisha Islands.

After the Annamese police of the French colonial authorities intruded into the Xisha Islands in 1938, a spokesman of the Japanese Foreign Ministry stated that the Xisha Islands



ANNEX 3: The 15th map Southeast Asia in the "Standard World Atlas" published in 1952 by the Japanese National Education Books Company. On the right corner below is the then Japanese Foreign Minister Katsuo Okazaki's inscription and signature recommending this atlas.

on which the Annamese police had landed were "recognized by us as part of China's territory*."

The 1951 San Francisco Conference on the peace treaty with Japan decided that Japan should renounce the Xisha and Nansha Islands. The leader of the Soviet Delegation Andrei Gromyko pointed out at the conference that the Xisha and Nansha Islands . . . are China's "inalienable territory." Although the U.S.-U.K. drafted peace treaty with Japan did not mention the ownership of these islands after Japan's renunciation, yet in 1952, the year after the San Francisco Peace Treaty with Japan was signed, the 15th map, Southeast Asia, of the *Standard World Atlas*, which was recommended by the signature of the then Japanese Foreign Minister Katsuo Okazaki, marks as part of China all the Xisha and Nansha Islands, which Japan had to renounce as stipulated by the

peace treaty, as well as the Dongsha and Zhongsha Islands (see annex 3). Since these islands were originally China's territory, they should of course be returned to China.

In October 1955 the International Civil Aviation Organization held a conference in Manila, which was attended by representatives of the United States, Britain, France, Japan, Canada, Australia, New Zealand, Thailand, the Philippines and the authorities of south Viet Nam and China's Taiwan. Resolution No. 24 adopted by the conference requested the Taiwan authorities of China to improve meteorological observation on the Nansha Islands, and no opposition or reservation was registered in this regard.

* A Reuter dispatch, July 4, 1938.

Since the beginning of the 20th century, most of the authoritative encyclopaedias recognize the Xisha and Nansha Islands as China's territory. For instance, the *Worldmark Encyclopaedia of the Nations* published in the United States in 1963 states that the islands [of the People's Republic of China] "include the reefs and islands of the South China Sea, extending as far as 4°N. These reefs and islands include the Tungsha (Pratas), Sisha (Paracels), Chungsha, and Nansha archipelagoes." The *Bolshaya Sovetskaya Enciclopediya* of 1973 and the Japanese *Kyodo World Manual* of 1979 also explicitly point out that the Xisha and Nansha Islands are China's territory.

Atlases and maps published in many countries mark the Xisha and Nansha Islands as belonging to China. For example, this is done in the *Weit-Atlas* published in the Federal Republic of Germany in 1954, the *Soviet Atlas Mira* from 1954 to 1967, the *Romanian Atlas Geografic Scolar* of 1957, the 1968 *Carte Generale du Monde* published in France by the Institut Geographique National, the 1968 *Haack Grosser Weltatlas* published in the G.D.R., the 1970 *Gran Atlas Aguilar* published in Spain and the 1973 *Atlas of China* published by the Japanese Heibou Sha. In short, the Xisha and Nansha Islands are recognized as part of China's territory in contemporary maps and books published in many countries.

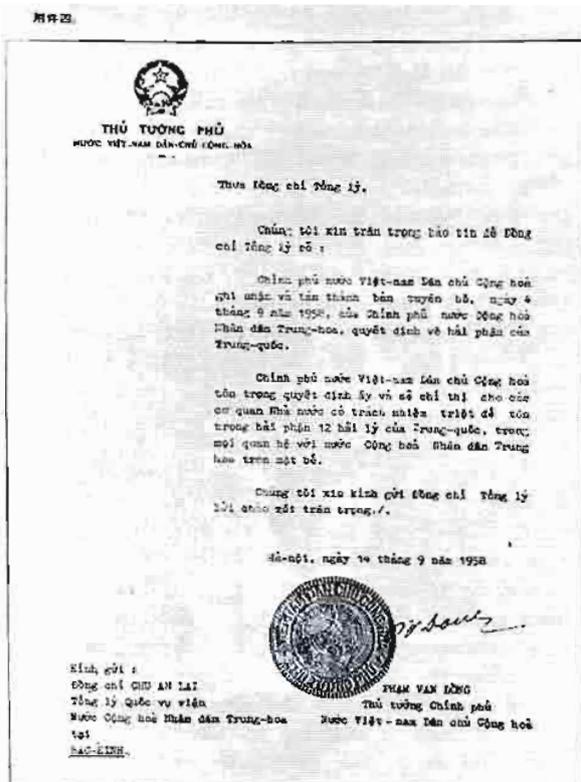
(4) The Perfidy of the Vietnamese Authorities

It must be pointed out that there used to be no dispute between China and Viet Nam over the ownership of the Xisha and Nansha Islands. During a long period of time the Vietnamese side formally acknowledged these islands as being Chinese territory since ancient times, whether in their government statements and notes, or in their newspapers, periodicals, maps and textbooks.

On June 15, 1956 Vice-Foreign Minister Ung Van Khiem of the Democratic Republic of Viet Nam received Li Zhimin, Charge d'Affaires ad interim of the Chinese Embassy in Viet Nam, and stated to him that, "according to Vietnamese data, the Xisha and Nansha Islands are historically part of Chinese territory." Le Loc, Acting Director of the Asian Department of the Vietnamese Foreign Ministry, who was present, specifically cited Vietnamese data and pointed out that, "judging from history, these islands were already part of China at the time of the Song Dynasty."

In its declaration of September 4, 1958, the Government of the People's Republic of China proclaimed the breadth of the territorial sea of the People's Republic of China to be 12 nautical miles and stated explicitly that "this provision applies to all territories of the People's Republic of China, including . . . the Dongsha Islands, the Xisha Islands, the Zhongsha Islands, the Nansha Islands and all other islands belonging to China." On September 6, 1958, *Nhan Dan*, central organ of the Vietnamese Workers' Party, prominently featured on its front page details of the Chinese Government's declaration. It wrote, "On September 4, 1958 the Government of the People's Republic of China issued a declaration on China's territorial sea. The declaration provides that the breadth of China's territorial sea is 12 nautical miles (over 22 kilometres). This provision applies to all territories of the People's Republic of China including the Chinese mainland and its coastal islands, as well as Taiwan and its surrounding islands, the Penghu Islands, the Dongsha Islands, the Xisha Islands, the Zhongsha Islands, the Nansha Islands and all other islands belonging to China which are separated from the mainland and its coastal islands by the high seas." On September 14 the same year, Premier Pham Van Dong of the Vietnamese Government solemnly stated in his note to Premier Zhou Enlai of the Chinese State Council that "the Government of the Democratic Republic of Viet Nam recognizes and supports the declaration of the Government of the People's Republic of China on China's territorial sea made on September 4, 1958," and that "the Government of the Democratic Republic of Viet Nam respects this decision." Pham Van Dong's note clearly shows that the Vietnamese Government acknowledged Xisha and Nansha Islands as China's territory (see annex 4 on next page).

In its statement of May 9, 1965 on the U.S. Government's designation of a "combat zone" for its forces in Viet Nam, the Government of the Democratic Republic of Viet Nam said that it was "a direct threat to the security of the Democratic Republic of Viet Nam and its neighbouring country" for "U.S. President Lyndon Johnson to designate the whole of Viet Nam and the adjacent waters which extend roughly 100 miles from the coast of Viet Nam and part of the territorial waters of the People's Republic of China in its Xisha Islands as a 'combat zone' of the U.S. armed forces." Here the Vietnamese Government once again clearly recog-



ANNEX 4: Vietnamese Premier Pham Van Dong's note to Premier Zhou Enlai, dated September 14, 1958.

nized the Xisha Islands as part of Chinese territory.

In reporting foreign intrusions into the Xisha Islands, the Vietnamese press also clearly recognized these islands as belonging to China. For example, on May 13, 1969 *Nhan Dan* reported that "on May 10 a U.S. military aircraft invaded China's air space over Yongxing Island and Dongdao Island of the Xisha Islands of China's Guangdong Province." Many similar reports were carried in Vietnamese papers.

Official maps and textbooks of Viet Nam explicitly acknowledged the Xisha and Nansha Islands as China's territory. For example, the 1960 *World Map* made by the Mapping Section of the General Staff of the Vietnamese People's Army marks the Xisha and Nansha Islands by their Chinese names and notes in brackets that they belong to China. The May 1972 *World Atlas* published by the Bureau of Survey and Cartography Under the Office of the Premier of Viet Nam also marks the Xisha and Nansha

Islands by their Chinese names (see annex 5). Another example, the lesson entitled "The People's Republic of China" in the geography textbook for school pupils of grade 9 published by Viet Nam's Educational Press in 1974 reads in part as follows: "The chain of islands from the Nansha and Xisha Islands to Hainan Island, Taiwan Island, the Penghu Islands and the Zhoushan Islands . . . is shaped like a bow and constitutes a Great Wall defending the China mainland."

The Vietnamese in apparent seriousness stressed that in order to establish territorial sovereignty it is necessary to present "formal state materials" and "documents of legal force." What we have cited above are precisely Vietnamese "formal state materials" and "documents of legal force." This clearly shows that up to 1974 the Vietnamese Government had recognized the Xisha and Nansha Islands as Chinese territory. Now, the Vietnamese authorities have gone back on their own word and perfidiously departed from their original position of recognizing the Xisha and Nansha Islands as Chinese territory, and this is something absolutely impermissible under international law.

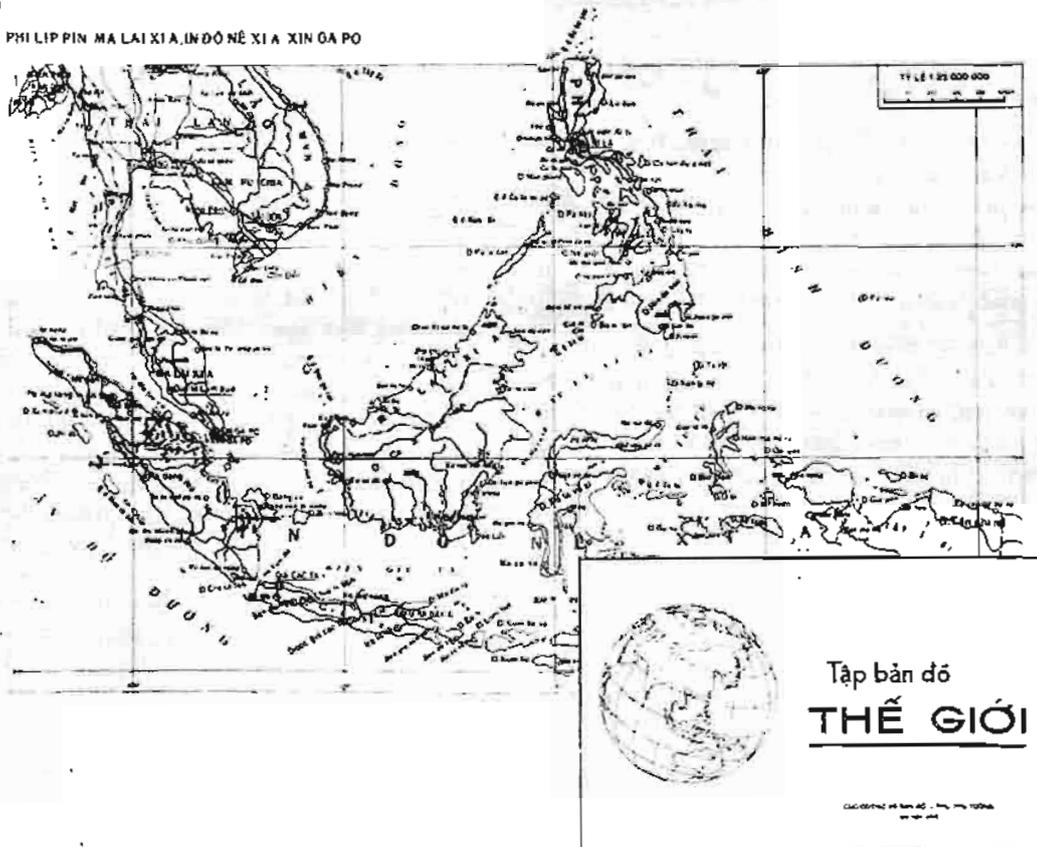
(5) The Arguments of the Vietnamese White Book Are Totally Untenable

The 19 "documents" quoted in the White Book of the Vietnamese Foreign Ministry fall roughly into two categories: the first category (documents Nos. 1 to 5) consists of some Vietnamese "historical sources" and the second category (documents Nos. 6 to 19) lists some materials about the occupation of China's Xisha and Nansha Islands by the French colonial authorities and the south Vietnamese authorities in Saigon since 1933. All are intended to prove that China's Xisha and Nansha Islands are Vietnamese territory. But if one makes a serious study and analysis, it will not be difficult to find that the "documents" in the first category are all based on deliberate false attribution, and that those in the second category are totally untenable and legally invalid.

The Vietnamese authorities allege that Bai Cai Vang and Hoang Sa Chu in the historical records is what they now call the Hoang Sa Archipelago or what is known in the West as the Paracels, that is to say, China's Xisha Islands. Their primary "historical sources" are

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ANNEX 5: "World Atlas" printed by Viet Nam in May 1972, page 19. On the right corner below is the cover of the atlas. The Vietnamese words on the right corner below give the name of the compiler: "The Bureau of Survey and Cartography Under the Office of the Premier of Viet Nam."

a "Map of the Quang Ngai Region From a Collection of Maps of Viet Nam" compiled in the 17th century by a Vietnamese called Do Ba and *Phu Bien Tap Luc* (Miscellaneous Records on the Pacification of the Frontiers) written by Le Quy Don in the 18th century. Quoted from the map and the records by the Vietnamese White Book are the following descriptions of Bai Cat Vang and Hoang Sa Chu:

"... an elongated sandbank, called Bai Cat Vang (meaning yellow sandbank). . . . lies in the middle of the sea. . . . It takes one day and a half from Dai Chiem Port to go there; and only half a day if one embarks at Sa Ky."

"In Binh Son sub-district, Quang Ngai district, there is the An Vinh village on the sea. Off the coast of this village, in the northeast lie islands with over 130 scattered hills. The distance between these hills is covered by a

voyage of one day or sometimes of only a few hours. There are fresh water springs on these hills. Among the islands there is a vast and flat yellow sandbank, over 30 li long, where the spring water is crystal clear."

The Vietnamese authorities cite the above two passages as the "earliest and most essential" material. But these records precisely show that what the Vietnamese call the Hoang Sa Archipelago is not China's Xisha Islands. They are two entirely different places.

First, the geographical location. According to the Vietnamese material, it takes one day and a half to get to Bai Cat Vang from Dai Chiem Port (now Cửa Đại, Quang Nam-Da Nang Province, Viet Nam) and only half a day from Sa Ky Port (near Binh Son County, Quang Ngai Province, Viet Nam). But China's Xisha Islands are 200 nautical miles from the coast of central

Viet Nam, a distance which was absolutely impossible to cover by sailboat in half a day or even one day and a half with navigation techniques as they were.

Secondly, the length and area. It is said in the Vietnamese material that Hoang Sa Chu is "over 30 li long" and "vast and flat." Yet, even Yongxing Island, the biggest among China's Xisha Islands, is less than 2 kilometres (4 li) long and has an area of only 1.85 square kilometres.

Thirdly, the topography. According to the Vietnamese material, there are in the Hoang Sa Archipelago "over 130 scattered hills." But there are no hills at all on China's shallow and flat Xisha Islands, whose elevation is generally only 5 to 6 metres, with the highest point measuring 15.9 metres. And in Xisha there are only a total of 35 islands, reefs, sandbanks and sand cays. There are no "over 130 hills" to speak of.

These comparisons clearly show that the Hoang Sa Archipelago mentioned in the Vietnamese material can only be some islands and shoals off the coast of central Viet Nam and not China's Xisha Islands.

The Vietnamese White Book asserts that *Dai Nam Thuc Luc Chinh Bien* (Official Chronicles of Dai Nam) "records the occupation by King Gia Long of the Hoang Sa Islands in 1816." But no record of "occupation" is found anywhere in this history book. The legend that King Gia Long "occupied the Hoang Sa Islands" originated from an article, "Note on the Geography of Cochinchina" by Bishop Louis Taberd, a French colonialist, who wrote: "The Pracel or Parocels, is a labyrinth of small islands, rocks and sandbanks, which appears to extend up to the 11th degree of north latitude, in the 107th parallel of longitude from Paris." He also wrote that in 1816 King Gia Long "went with solemnity to plant his flag and take formal possession of these rocks, which it is not likely anybody will dispute with him." 107°E from Paris meridian is 109°10'E from Greenwich, which is not far from the coast of central Viet Nam. China's Xisha Islands, however, are to the east of 110°10'E. Taberd said that the Pracel extended to 11°N, but the southernmost point of the Xisha Islands is at 15°47'N. Obviously,

the Pracel referred to by Bishop Taberd is islands and shoals off the coast of central Viet Nam, but not China's Xisha Islands.

What the Vietnamese call Truong Sa Archipelago cannot be China's Nansha Islands, either. The White Book says that Truong Sa Archipelago used to be called Dai Truong Sa. Dai Truong Sa is described in many Chinese and Vietnamese historical records, but it obviously is not situated where China's Nansha Islands are; the reference is to some islands and shoals along the Vietnamese coast. As the Vietnamese authorities fail to find any historical evidence of value to prove that Truong Sa is China's Nansha Islands, they in the White Book have recourse to *Dai Nam Nhat Thong Toan Do* (Complete Map of Unified Dai Nam), a map of unknown origin. However, it can clearly be seen from this map that Hoang Sa and Van Ly Truong Sa are close and parallel to the coast of central Viet Nam and not where China's Xisha and Nansha Islands are.

By false attribution the Vietnamese authorities are attempting to find a basis for their ambition for territorial expansion and hoodwink the people of the world. But this is surely futile.

The Vietnamese authorities cite in their White Book the occupation of China's Xisha and Nansha Islands by the French colonial authorities and the south Vietnamese authorities in Saigon since 1933 in order to prove the legitimacy of the Vietnamese authorities' territorial claim to China's Xisha and Nansha Islands. This is not at all tenable. According to international law, aggression does not establish sovereignty, and "inheritance" of territory seized from another country through occupation is illegal and therefore invalid.

* * *

That the Xisha and Nansha Islands have been China's territory since ancient times is fully proved by legal evidence. And one can draw an impartial conclusion from the ample facts and materials mentioned above. The Vietnamese authorities' illegal occupation of part of China's Nansha Islands and their territorial claim to China's Xisha and Nansha Islands can only serve to reveal their regional hegemonist and aggressor expansionist ambitions. China's sovereignty over the Xisha and Nansha Islands is indisputable.

Annex 105

People's Republic of China, *Law on the Territorial Sea and the Contiguous Zone* (25 Feb. 1992)

Law on the Territorial Sea and the Contiguous Zone of
25 February 1992

The Law on the Territorial Sea and the Contiguous Zone of the People's Republic of China, adopted at the 24th meeting of the Standing Committee of the National People's Congress on 25 February 1992.

Article 1

This law is formulated in order to enable the People's Republic of China (PRC) to exercise its sovereignty over its territorial sea and its rights to exercise control over its contiguous zone, and to safeguard State security as well as its maritime rights and interests.

Article 2

The PRC's territorial sea refers to the waters adjacent to its territorial land.

The PRC's territorial land includes the mainland and its offshore islands, Taiwan and the various affiliated islands including Diaoyu Island, Penghu Islands, Dongsha Islands, Xisha Islands, Nansha (Spratly) Islands and other islands that belong to the People's Republic of China.

The PRC's internal waters refer to the waters along the baseline of the territorial sea facing the land.

Article 3

The extent of the PRC's territorial sea measures 12 nautical miles from the baseline of the territorial sea. The PRC's baseline of the territorial sea is designated with the method of straight baselines, formed by joining the various base points with straight lines.

The outer limit of the PRC's territorial sea refers to the line, every point of which is at a distance of 12 nautical miles from the nearest point of the baseline of the territorial sea.

Article 4

The PRC's contiguous zone refers to the waters that are outside of, but adjacent to, its territorial sea. The extent of the contiguous zone has a width of 12 nautical miles.

The outer limit of the PRC's contiguous zone is a line, every point of which has a nearest distance of 24 nautical miles from the baseline from which the territorial sea is measured.

Article 5

The People's Republic of China exercises sovereignty over its territorial sea and the airspace over the territorial sea, as well as its seabed and subsoil.

Article 6

Non-military foreign ships enjoy the right of innocent passage through the territorial sea of the People's Republic of China according to law.

To enter the territorial sea of the People's Republic of China, foreign military ships must obtain permission from the Government of the People's Republic of China.

Article 7

While passing through the territorial sea of the People's Republic of China, foreign submarines and other underwater vehicles shall navigate on the surface of the sea and show their flags.

Article 8

While passing through the territorial sea of the People's Republic of China, foreign ships shall abide by the laws and regulations of the People's Republic of China and shall not impair the peace, security and good order of the People's Republic of China.

Foreign nuclear-powered ships and other ships carrying nuclear, toxic or other dangerous substances must carry certain documents and observe special precautionary measures when they pass through the territorial sea of the People's Republic of China.

The Government of the People's Republic of China has the right to adopt all necessary measures to prevent and stop the passage of a ship which is not innocent through its territorial sea.

Foreign ships which violate the laws and regulations of the People's Republic of China shall be dealt with according to law by relevant departments of the People's Republic of China.

Article 9

To ensure the safety of navigation and satisfy other requirements, the Government of the People's Republic of China may require foreign ships passing through its territorial sea to use the designated sea lane or prescribed traffic separation scheme. Concrete methods should be issued by the Government of the People's Republic of China or its relevant responsible departments.

Article 10

The relevant responsible organs of the People's Republic of China shall have the right to order an immediate eviction of foreign military ships or ships owned by foreign Governments and operated for non-commercial purposes that violate the laws or regulations of the People's Republic of China while passing through the territorial sea of the People's Republic of China. Losses or damage caused shall be borne by the nations whose flag is being flown by the ship in question.

Article 11

Any international, foreign organization, or individual who intends to conduct activities connected with scientific research or marine survey shall first seek the consent of the People's Republic of China or its relevant responsible departments and abide by the laws and regulations of the People's Republic of China.

Whoever is found illegally entering the territorial sea of the People's Republic of China to conduct activities connected with scientific research or marine survey in violation of the preceding provisions shall be dealt with by the relevant organs of the People's Republic of China according to law.

Article 12

Foreign aircraft may not enter the air above the territorial sea of the People's Republic of China unless they do so in accordance with agreements or accords which the Governments of their countries have signed with the Government of the People's Republic of China, or they have been approved or accepted by the Government of the People's Republic of China or organs it has authorized.

Article 13

The People's Republic of China has the authority to exercise powers within its contiguous zone for the purpose of preventing or punishing infringement of its security, customs, fiscal sanitary laws and regulations or entry-exit control within its land territories, internal waters or territorial sea.

Article 14

When competent authorities of the People's Republic of China have good reasons to believe that a foreign ship has violated the laws and regulations of the People's Republic of China, they may exercise the right of hot pursuit.

The hot pursuit commences when the foreign ship, or one of its small boats, or other craft working as a team and using the ship pursued as a mother ship is within the limits of the internal waters, territorial sea or contiguous zone of the People's Republic of China.

If the foreign ships are in the contiguous zone of the People's Republic of China, the hot pursuit may proceed only when the rights of the relevant laws and regulations set forth in article 13 above have been violated.

As long as the hot pursuit is not interrupted, it may continue outside the territorial sea of the People's Republic of China or the contiguous zone. The hot pursuit ceases as soon as the ship pursued enters the territorial sea of its own country or of a third country.

The right of hot pursuit in this article is exercised by warships or military aircraft of the People's Republic of China, or by ships or aircraft authorized by the Government of the People's Republic of China to that effect.

Article 15

The baseline of the territorial sea of the People's Republic of China shall be established by the Government of the People's Republic of China.

Article 16

The Government of the People's Republic of China shall draw up relevant regulations in accordance with this law.

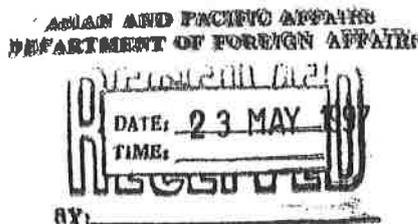
Article 17

This law becomes effective upon promulgation.

Annex 106

Foreign Ministry of the People's Republic of China, *Chinese Foreign Ministry Statement Regarding Huang-yandao* (22 May 1997)

ASPAE
 MR 23 May



Chinese Foreign Ministry Statement regarding Huangyandao
 (Press briefing, 22 May 1997)

Since the end of April this year, the Philippine side has many times dispatched military vessels and military planes to unjustifiably follow, monitor and disrupt the "Joint International Amateur Radio Exploration Activities" organized by a non-governmental organization of China, and participated by amateur radio fans of China, the US and Japan at China's Huangyandao and its adjacent waters. The Philippine side has also sent people to the island several times, erected flags and tablets on it, and made groundless accusations against the personnel of the Chinese side. The Chinese side, proceeding from the overall interests of maintaining bilateral friendly relations, has undertaken an attitude of utmost restraint with regard to the above acts of the Philippine side. At the same time, the Chinese side has asked the Philippine side, through diplomatic channels, to correct its wrong behavior, and immediately stop its violation of China's territorial integrity. But the situation in recent days clearly shows that the Philippine side has intensified its violation of the Chinese territory of Huangyandao. The Philippine side, using the 200 EEZ as reason, brazenly announced its so-called jurisdictional right over the Chinese territory of Huangyandao. The Chinese Government and people absolutely cannot accept this.

Huangyan Dao has always been Chinese territory and its legal position has been long determined. According to Article 121 of the UNCLOS, Huangyandao is surrounded by water on all sides and is a natural dry land area that is higher than the water level during high tide; it is not a shoal or submerged reef that does not rise above the water all year round. Many historical documents record that China has sovereignty over the island. The Chinese Government has three times officially announced the Chinese Government's name or change of name for the island -- all these are actions of a country which exercises effective jurisdiction over the island. It is also commonly recognized among the international community that

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Huangyandao is China's territory. Amateur radio operators of many countries have undertaken radio exploratory activities on the island after receiving permission from the Chinese Government. At present, many countries continue to apply with China to undertake such activities. The island has been entered into the international amateur radio DXTC list of the Amateur Radio Association of the United States.

The Philippines has never challenged the position that Huangyandao is China's territory. Recently, the Philippine side suddenly claims that it has maritime jurisdiction over Huangyandao because the island is in the 200 nm EEZ of the Philippines. This position violates the principles of international law and the UNCLOS. It is clearly stated in the preface of the UNCLOS that the convention should take into account the sovereignty of all countries. The provisions of the UNCLOS regarding maritime jurisdiction are not suitable for resolving questions regarding territorial sovereignty. According to the UNCLOS, littoral states only enjoy the right to explore and develop the natural resources in the area covered by their EEZ's, but this does not affect the legal position of a country's territorial sovereignty. The issue of Huangyandao is an issue of territorial sovereignty; the development and exploitation of the EEZ is a question of maritime jurisdiction, the nature of the two issues are different and hence the laws and regulations governing them are also different, and they should not be discussed together. The attempt of the Philippine side to use maritime jurisdictional rights to violate the territorial sovereignty of China is untenable. According to international law, under a situation where there is an overlapping of EEZ's among concerned countries, the act of a country to unilaterally proclaim its 200 EEZ is null and void. The scope of the EEZ's of the Philippines and China should be resolved through negotiations based on the principles and regulations of international laws.

The Chinese Government strongly calls on the Philippine side to respect historical reality, respect international laws, respect the territorial sovereignty of China over Huangyandao, and immediately stop all activities that violate the territorial sovereignty of China, in the overall interest of maintaining the peace and stability of the Nanhai area and the friendly relations between the two sides.

Annex 107

People's Republic of China, *Exclusive Economic Zone and Continental Shelf Act* (26 June 1998)

EXCLUSIVE ECONOMIC ZONE AND CONTINENTAL SHELF ACT

(Adopted at the third session of the Standing Committee of
the Ninth National People's Congress, 26 June 1998)

Article 1

This Act is adopted with a view to safeguarding the sovereign rights and jurisdiction exercised by the People's Republic of China over the exclusive economic zone and the continental shelf and to protect China's maritime rights and interests.

Article 2

The exclusive economic zone of the People's Republic of China is an area beyond and adjacent to the territorial sea of the People's Republic of China extending to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.

The continental shelf of the People's Republic of China comprises the seabed and subsoil of the submarine areas that extend beyond its territorial sea throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the territorial sea is measured where the outer edge of the continental margin does not extend up to that distance.

Conflicting claims regarding the exclusive economic zone and the continental shelf by the People's Republic of China and States with opposite or adjacent coasts shall be settled, on the basis of international law and in accordance with the principle of equity, by an agreement delimiting the areas so claimed.

Article 3

In the exclusive economic zone the People's Republic of China shall exercise sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, current and winds.

The People's Republic of China shall have jurisdiction in the exclusive economic zone with regard to the establishment and use of artificial islands, installations and structures; marine scientific research; and the protection and preservation of the marine environment.

The natural resources of the exclusive economic zone referred to in this Act include living and non-living resources.

Article 4

The People's Republic of China shall exercise sovereign rights over the continental shelf for the purpose of exploring it and exploiting its natural resources.

The People's Republic of China shall have jurisdiction over the continental shelf with regard to the establishment and use of artificial islands, installations and structures; marine scientific research; and the protection and preservation of the marine environment.

The People's Republic of China shall have the exclusive right to authorize and regulate drilling on the continental shelf for all purposes.

The natural resources of the continental shelf referred to in this Act consist of the mineral and other non-living resources of the seabed and subsoil together with living organisms belonging to sedentary species, that is to say, organisms which, at the harvestable stage, either are immobile on or under the seabed or are unable to move except in constant physical contact with the seabed or the subsoil.

Article 5

Any international organization, foreign organization or individual entering the exclusive economic zone of the People's Republic of China to engage in fishery activities must have the approval of the competent authorities of the People's Republic of China and comply with the laws and regulations of the People's Republic of China and any treaties or agreements concluded by the relevant States and the People's Republic of China.

The competent authorities of the People's Republic of China shall have the right to take any necessary conservation and management measures to ensure that the living resources of the exclusive economic zone are not endangered by over-exploitation.

Article 6

The competent authorities of the People's Republic of China shall have the right to conserve and manage the straddling fish stocks, highly migratory fish stocks and marine mammals of the exclusive economic zone, anadromous stocks originating in the rivers of the People's Republic of China and catadromous species that spend the greater part of their life cycle in the waters of the People's Republic of China.

The People's Republic of China shall have the primary interest in anadromous stocks originating in China's rivers.

Article 7

Any international organization, foreign organization or individual engaging in the exploration or exploitation of the natural resources of the exclusive economic zone or continental shelf of the People's Republic of China or to carry out drilling in the continental shelf of the People's Republic of China must have the approval of the competent authorities of the People's Republic of China and comply with the laws and regulations of the People's Republic of China.

Article 8

The People's Republic of China shall have exclusive rights in the exclusive economic zone and the continental shelf to establish and to authorize and regulate the establishment, operation and use of artificial islands, installations and structures.

The People's Republic of China shall have exclusive jurisdiction over the artificial islands, installations and structures in the exclusive economic zone and the continental shelf, including jurisdiction with regard to customs, fiscal, health, security and immigration laws and regulations.

The competent authorities of the People's Republic of China shall have the right to establish safety zones around the artificial islands, installations and structures in the exclusive economic zone and continental shelf in which they may take appropriate measures to ensure the safety both of navigation and of the artificial islands, installations and structures.

Article 9

Any international organization, foreign organization or individual engaging in marine scientific research in the exclusive economic zone and continental shelf of the People's Republic of China must have the approval of the competent authorities of the People's Republic of China and shall comply with the laws and regulations of the People's Republic of China.

Article 10

The competent authorities of the People's Republic of China shall have the right to take the necessary measures to prevent, reduce and control pollution of the marine environment and to protect and preserve the marine environment of the exclusive economic zone and the continental shelf.

Article 11

Any State, provided that it observes international law and the laws and regulations of the People's Republic of China, shall enjoy in the exclusive economic zone and the continental shelf of the People's Republic of China freedom of navigation and overflight and of laying submarine cables and pipelines, and shall enjoy other legal and practical marine benefits associated with these freedoms. The laying of submarine cables and pipelines must be authorized by the competent authorities of the People's Republic of China.

Article 12

The People's Republic of China may, in the exercise of its sovereign rights to explore, exploit, conserve and manage the living resources of the exclusive economic zone, take such measures, including boarding, inspection, arrest, detention and judicial proceedings, as may be necessary to ensure compliance with its laws and regulations.

In the event of a violation of the laws and regulations of the People's Republic of China in the exclusive economic zone or the continental shelf, the People's Republic of China shall have the right to take the necessary investigative measures in accordance with the law and may exercise the right of hot pursuit.

Article 13

Rights enjoyed by the People's Republic of China in the exclusive economic zone and the continental shelf that are not stipulated in this Act shall be exercised in accordance with international law and the laws and regulations of the People's Republic of China.

Article 14

The provisions of this Act shall not affect the historical rights of the People's Republic of China.

Article 15

The Government of the People's Republic of China may, in accordance with this Act, enact relevant regulations.

Article 16

This Act shall enter into force on the date of promulgation.

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2005年09月12日

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(1998年6月26日第九届全国人民代表大会常务委员会第三次会议通过·1998年6月26日中华人民共和国主席令第6号发布)

第一条·为保障中华人民共和国对专属经济区和大陆架行使主权权利和管辖权,维护国家海洋权益,制定本法。

第二条·中华人民共和国的专属经济区,为中华人民共和国领海以外并邻接领海的区域,从测算领海宽度的基线量起延至二百海里。

··中华人民共和国的大陆架,为中华人民共和国领海以外依本国陆地领土的全部自然延伸,扩展到大陆边外缘的海底区域的海床和底土;如果从测算领海宽度的基线量起至大陆边外缘的距离不足二百海里,则扩展至二百海里。

··中华人民共和国与海岸相邻或者相向国家关于专属经济区和大陆架的主张重叠的,在国际法的基础上按照公平原则以协议划定界限。

··**第三条**·中华人民共和国在专属经济区为勘查、开发、养护和管理海床上覆水域、海床及其底土的自然资源,以及进行其他经济性开发和勘查,如利用海水、海流和风力生产能等活动,行使主权权利。

··中华人民共和国对专属经济区的人工岛屿、设施和结构的建造、使用和海洋科学研究、海洋环境的保护和保全,行使管辖权。

本法所称专属经济区的自然资源,包括生物资源和非生物资源。

第四条·中华人民共和国为勘查大陆架和开发大陆架的自然资源,对大陆架行使主权权利。

中华人民共和国对大陆架的人工岛屿、设施和结构的建造、使用和海洋科学研究、海洋环境的保护和保全，行使管辖权。

中华人民共和国拥有授权和管理为一切目的在大陆架上进行钻探的专属权利。

本法所称大陆架的自然资源，包括海床和底土的矿物和其他非生物资源，以及属于定居种的生物，即在可捕捞阶段在海床上或者海床下不能移动或者其躯体须与海床或者底土保持接触才能移动的生物。

· · **第五条** · 任何国际组织、外国的组织或者个人进入中华人民共和国的专属经济区从事渔业活动，必须经中华人民共和国主管机关批准，并遵守中华人民共和国的法律、法规及中华人民共和国与有关国家签订的条约、协定。

· · 中华人民共和国主管机关有权采取各种必要的养护和管理措施，确保专属经济区的生物资源不受过度开发的危害。

第六条 · 中华人民共和国主管机关有权对专属经济区的跨界种群、高度徊游鱼种、海洋哺乳动物，源自中华人民共和国河流的溯河产卵种群、在中华人民共和国水域内度过大部分生命周期的降河产卵鱼种，进行养护和管理。

· · 中华人民共和国对源自本国河流的溯河产卵种群，享有主要利益。

第七条 · 任何国际组织、外国的组织或者个人对中华人民共和国的专属经济区和大陆架的自然资源进行勘查、开发活动或者在中华人民共和国的大陆架上为任何目的进行钻探，必须经中华人民共和国主管机关批准，并遵守中华人民共和国的法律、法规。

· · **第八条** · 中华人民共和国在专属经济区和大陆架有专属权利建造并授权和管理建造、操作和使用人工岛屿、设施和结构。

中华人民共和国对专属经济区和大陆架的人工岛屿、设施和结构行使专用管辖权，包括有关海关、财政、卫生、安全和出境入境的法律和法规方面的管辖权。

· · 中华人民共和国主管机关有权在专属经济区和大陆架的人工岛屿、设施和结构周围设置安全地带，并可以在该地带采取适当措施，确保航行安全以及人工岛屿、设施和结构安全。

· · **第九条** · 任何国际组织、外国的组织或者个人在中华人民共和国的专属经济区和大陆架进行海洋科学研究，必须经中华人民共和国主管机关批准，并遵守中华人民共和国的法律、法规。

· · **第十条** · 中华人民共和国主管机关有权采取必要的措施，防止、减少和控制海洋环境的污染，保护和保全专属经济区和大陆架的海洋环境。

· · **第十一条** · 任何国家在遵守国际法和中华人民共和国的法律、法规的前提下，在中华人民共和国的专属经济区享有航行、飞越的自由，在中华人民共和国的专属经济区和大陆架享有铺设海底电缆和管道的自由，以及与上述自由有关的其他合法使用海洋的便利。铺设海底电缆和管道的路线，必须经中华人民共和国主管机关同意。

· · **第十二条** · 中华人民共和国在行使勘查、开发、养护和管理专属经济区的生物资源的主权权利时，为确保中华人民共和国的法律、法规得到遵守，可以采取登临、检查、逮捕、扣留和进行司法程序等必要的措施。

· · 中华人民共和国对在专属经济区和大陆架违反中华人民共和国法律、法规的行为，有权采取必要措施，依法追究法律责任，并可以行使紧追权。

· · **第十三条** · 中华人民共和国在专属经济区和大陆架享有的权利，本法未作规定的，根据国际法和中华人民共和国其他有关法律、法规行使。

· · **第十四条** · 本法的规定不影响中华人民共和国享有的历史性权利。

第十五条 · 中华人民共和国政府可以根据本法制定有关规定。

第十六条 · 本法自公布之日起施行。

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【纠错】

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Annex 108

People's Republic of China, *Regulation on the Management of the Fishery Administrative Enforcement Vessels*
(2000)

Order of the Ministry of Agriculture, People's Republic of China

No. 33

The Rules Governing the Management of Fishery Administrative Legal Enforcement Vessels of the People's Republic of China was passed by the 6th standing committee meeting of the Ministry of Agriculture on 9 May 2000, and is hereby promulgated for implementation.

Minister Chen Yao-bang
13 June 2000

***Regulation on the Management of the Fishery Administrative
Enforcement Vessels of the People's Republic of China***

Article 1. In order to enhance the management of fishery administrative legal enforcement vessels, these Rules have been formulated pursuant to the requirements in laws and regulations such as the *Fisheries Law of the People's Republic of China*.

Article 2. In these Rules, fishery administrative legal enforcement vessels refer to specific official ships and boats used to implement administrative legal enforcement of fisheries by fishery administrative authorities of various levels, and are hereinafter referred to as fishery administrative vessels.

Article 3. The construction of fishery administrative vessels shall be reviewed and approved. The fishery administrative vessels shall be registered. The coding and regulation of fishery administration vessels shall follow their unified systems.

[...]

Article 8. The fishery administrative vessels shall have unified outward colors and markings. The external body of fishery administrative vessels shall be white above the water line, the name of the vessel in black Song font Chinese characters shall be denoted on the two sides of the bow. Able fishery administrative vessels should denote the name of the vessel in red Song font Chinese characters, and at night this should be illuminated or there should be a light box for nighttime display. On the two sides of the smokestack or on the two sides of the bridge should be affixed with the logo of the Fishery Administration of China.

[...]

Article 10. The fishery administrative vessels' outward colors, markings and the name "China Fishery Administration" shall not be changed without approval from the Administration of Fishery and Fishing Harbor Supervision of the People's Republic of China.

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中华人民共和国农业部令

第 33 号

《中华人民共和国渔业行政执法船舶管理办法》已于2000年5月9日经农业部第6次常务会议审议通过，现予发布施行。

部 长 陈耀邦

二〇〇〇年六月十三日

中华人民共和国渔业行政执法船舶管理办法

第一条 为加强渔业行政执法船舶管理，根据《中华人民共和国渔业法》等法律、法规的规定，制定本办法。

第二条 本办法所称渔业行政执法船舶是指各级渔业行政主管部门执行渔业行政执法任务的专用公务船、艇，以下称为渔政船。

第三条 渔政船实行建造审批，注册登记，统一编号，统一规范。

第四条 各级渔业行政主管部门依照本办法的规定对所属渔政船进行管理。

第五条 凡新建、改造、购置和报废渔政船的，必须填写《中华人民共和国渔政船新建、改造、购置、报废申请表》（格式见附件1（略）），经批准后方可进行。未经批准，不得新建、改造、购置和报废渔政船。

农业部直属渔政渔港监督管理机构和省级渔业行政主管部门需新建、改造、购置和报废渔政船的，报（沿海省级渔政船经所在海区局审核后）中华人民共和国渔政渔港监督管理局审批。

省级以下各级渔业行政主管部门需新建、改造、购置和报废渔政船的，由各省（区、市）渔业行政主管部门审批，报中华人民共和国渔政渔港监督管理局（海洋渔政船同时报所在海区渔政渔港监

督管理局)备案。

渔政船的设计、建造规范和安装的设备必须符合国家有关规定。

第六条 所有渔政船必须向中华人民共和国渔政渔港监督管理局申请注册登记，经核准后，方可执行渔业行政执法任务。

海区渔政渔港监督管理局和各级渔业行政主管部门根据本办法第九条的编号规则，对所属渔政船编写船名号，并填写《中华人民共和国渔政船注册登记申请表》(格式见附件2(略))，向中华人民共和国渔政渔港监督管理局申请注册登记。

中华人民共和国渔政渔港监督管理局对所有核准注册登记的渔政船，采用合适的方式向社会公布。

第七条 中华人民共和国渔政渔港监督管理局对服役的渔政船每三年重新注册一次。

第八条 渔政船实行统一外观颜色和标志。渔政船船体外部水线以上部分为白色，船首两侧用黑色宋体汉字标写船名号。有条件的渔政船应在驾驶室外两侧上方用红色宋体汉字标写船名号，夜间应有灯光照明或设夜间显示灯箱。烟囱两侧或驾驶楼两侧应刷制中国渔政徽标。

第九条 渔政船实行全国统一编号。经中华人民共和国渔政渔港监督管理局注册登记的海区渔政船的编号为“中国渔政XXX”。编号中的第一位数字为海区渔政渔港监督管理局的代码(附件3(略))，第二、三位数字为所属渔政船序号。

经中华人民共和国渔政渔港监督管理局注册登记的省级以下(含省级)渔业行政主管部门所属渔政船的编号为“中国渔政XXXXX”，编号中的第一、二位数字为省级渔业行政主管部门的代码(附件3(略))，第三、四、五位数字为各级渔业行政主管部门所属渔政船的序号。省以下各级渔业行政主管部门所属渔政船的序号排列，由各省自行确定，报中华人民共和国渔政渔港监督管理局备案。

单独执行渔业行政执法任务的快艇，也按上述规则编号。

渔政船备有快艇的，快艇名号为母船名号之后加“-X”，该位数代表快艇序号，由主管该渔政船的渔业行政主管部门编定。

第十条 渔政船的外观颜色、标志和“中国渔政”的名称，未经中华人民共和国渔政渔港监督管理局批准，不得擅自更改。

第十一条 渔政船必须服从其渔业行政主管部门的调度指挥，认真执行下达的执法任务。

第十二条 上一级渔业行政主管部门可以根据执法任务的需要，调用下一级渔业行政主管部门的渔政船执行执法任务。渔政船被调用期间服从上级渔业行政主管部门的指挥。

第十三条 任何单位和个人不得利用渔政船从事生产、营运等以盈利为目的的经营活动。因渔业资源调查等活动或配合政府其它部门的公务活动需使用渔政船时，应报上一级渔业行政主管部门备案。

第十四条 凡执行渔业行政执法任务需使用船、艇时，必须使用渔政船。

内陆地区或因特殊原因需借用、租用非渔政船执行渔业行政执法任务时，必须事先报经省级渔业行政主管部门批准。报告时应说明拟执行的任务、时间、范围以及拟借用、租用船舶的船名号等

有关情况。执行任务时，借用、租用的非渔政船的船名号必须清晰可见，在不影响公务的前提下还应明显的渔业行政执法标识。任务结束后应向批准部门报告执行情况。

第十五条 渔政船执行渔业行政执法任务时，有关执法检查 and 行政处罚等具体渔业行政执法事宜，由随船执行任务的渔业行政执法官员依法决定。

船长对渔政船的航泊安全负责，依照执法任务的要求制定航行计划。当船上渔业行政执法官员因执法任务的需要，要求调整原定的航行计划时，在不影响安全的情况下，船长应予以配合。

第十六条 各级渔业行政主管部门要按渔业船舶管理的有关规定，对所属的渔政船配齐职务船员，按执法任务需要配备渔业行政执法官员。

海洋渔政船还要按中华人民共和国渔政渔港监督管理局统一规定的标准配备通讯导航设备。

第十七条 渔政船发生事故时，船长应及时采取有效措施组织抢救，尽量减少损失，并及时报告其渔业行政主管部门。

第十八条 渔政船须按规定向渔业船舶检验部门申报船舶检验，向渔港监督部门办理船舶登记。

第十九条 违反本办法规定的，将追究有关人员的责任。

第二十条 本办法由中华人民共和国渔政渔港监督管理局负责组织实施。

第二十一条 本办法由农业部负责解释。

第二十二条 本办法自2001年1月1日起施行。原国家水产总局《渔政船管理暂行办法》（(79)渔总(管)字第23号）同时废止。

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Annex 109

People's Republic of China, Marine Safety Administration, *Rules on the Management of China Marine Surveillance's Vessels Number and Logo* (2000)

Rules Governing the Pennant Numbers and Logos of China Marine Surveillance Vessels

Source: Ocean and Fishery Department of Fujian Province

6 January 2009 9:15 AM [...]

General Provisions

Article 1. These Rules were formulated in order to enhance management of Pennant numbers of China Marine Surveillance vessels and to regulate the usage of pennant numbers of China Marine Surveillance vessels.

[...]

Article 10. Pennant numbers of China Marine Surveillance vessels shall be comprised of the four Chinese characters of [中国海监] “China Marine Surveillance” and a serial number.

Article 11. The China Marine Surveillance vessel serial numbers of branch bureaus of the State Oceanic Administration shall be comprised of two-digit Arabic numerals, with the first digit in the serial number being the water territory code (see Appendix 3), and the second digit being the vessel serial number. The full pennant number shall be “China Marine Surveillance XX.”

Article 12. The China Marine Surveillance vessel serial numbers of provinces, special administrative regions and direct-controlled municipalities shall be comprised of four-digit Arabic numerals. The first and second numbers in the serial number shall be the codes of marine administration authorities of provinces, special administrative regions, and direct-controlled municipalities (see Appendix 3), and the third and fourth digits shall be the vessel serial number. The full pennant number shall be “China Marine Surveillance XXXX.”

Article 13. The working speedboats equipped on vessels of the China Marine Surveillance shall have serial numbers of their mother vessels plus “-X.” The Arabic number represents the serial number of the speedboat, to be arranged autonomously by the organization with jurisdiction over the China Marine Surveillance vessel. The entire pennant number would be “China Marine Surveillance XX-X” or “China Marine Surveillance XXXX-X.”

Article 14. Pennant numbers of China Marine Surveillance vessels should be painted in accordance with requirements of the state vessel management authorities. The font of the “China Marine Surveillance” is the handwritten calligraphy font by Comrade Peng Zhen, and the size should be coordinated and proportionate to the size of the vessel and be pleasing to the eyes; the pennant number should be in a black font, and the size should be coordinated and proportionate to the size of the four characters for “China Marine Surveillance.” The pennant number font shall be black.

Usage and application of the vessel logo

Article 15. Vessels of the China Marine Surveillance should paint an image of the China Marine Surveillance logo on the smokestack. If the smokestack is smaller, the logo can be painted on another salient location on the vessel.

Article 16. Behind the “China Marine Surveillance” pennant number should be painted with the four sloping stripes of the China Marine Surveillance colors (color number PB05 *Paint Film Color Standard Sample* GSB G51001-94). The stripes begin from the upper edge of the bulwark, and extend downward to the designed water line, and are parallel to the stem; the four diagonal stripes slope toward the water line and the total width should be $1/20$ of the vessel length, while the width of each stripe is $1/7$ of the total width, and the distance between each stripe is equal to its width; the front edge of the slopes is the same as the back edge of the “China Marine Surveillance” pennant number toward the direction of the water line and the total width of the stripes (see Appendix 4 for the sizing diagram).

[...]

Article 18. Vessels using the pennant numbers of China Marine Surveillance shall not change their appearance, color, and logo without the approval of China Marine Surveillance.

[...]



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中国海监船舶舷号和标志管理规定

(2009-01-06 09:15) 访问次数为: 3068次 【字体: 大 中 小】 【关闭窗口】

总 则

第一条 为加强对中国海监船舶舷号的管理, 规范中国海监船舶舷号的使用, 特制定本规定。

第二条 中国海监船舶舷号由中国海监总队统一管理, 未经中国海监总队批准, 任何船舶无权使用。

第三条 各级海监机构用于海洋执法监察职能的公务船舶, 方可申请使用中国海监舷号。

舷号申请和注销

第四条 使用和注销中国海监船舶舷号, 必须依照本规定办理申请报批手续。

第五条 国家海洋局各分局船舶使用中国海监舷号, 由中国海监各海区总队向中国海监总队提出书面申请, 并填写《中国海监舷号申请表》(见附件1)。

第六条 各省、自治区、直辖市各级海监机构船舶使用中国海监舷号, 由省级海监机构向中国海监总队提出书面申请, 并填写《中国海监舷号申请表》(见附件1)。

第七条 接到中国海监总队批准使用中国海监舷号的批复后, 相关海监机构应到国家船舶管理部门办理登记手续, 并在完成涂制舷号的标志工作后, 将船舶彩色整体侧面照片(五寸)报中国海监总队备案。

第八条 中国海监船舶退出中国海监序列, 需填写《中国海监船舶舷号注销表》(见附件2)。申请程序同第五条、第六条。

第九条 接到中国海监总队注销中国海监船舶舷号的批复后, 相关海监机构应到国家船舶管理部门办理注销手续, 停止使用该舷号, 同时除去该船上的中国海监舷号及标志。

舷号设置和涂制

第十条 中国海监船舶舷号由“中国海监”四个汉字和编号组成。

第十一条 国家海洋局各分局中国海监船舶编号由两位阿拉伯数字组成, 编号中的第一位数字为海区代码(见附件3), 第二位数字为船舶序号。舷号全称为“中国海监××”。

第十二条 各省、自治区、直辖市各级海监机构中国海监船舶编号由四位阿拉伯数字组成, 编号中的第一、二位数字为各省、自治区、直辖市海监机构的代码(见附件3), 第三、四位数字为船舶序号。舷号全称为“中国海监××××”。

第十三条 中国海监船舶上搭载的工作快艇编号为在母船舷号的后面加“—×”, 该位阿拉伯数字代表快艇序号, 由主管该中国海监船的单位自行编写。舷号全称为“中国海监××—×”或“中国海监××××—×”。

第十四条 中国海监船舶舷号应按照国家船舶管理部门有关规定涂制。“中国海监”的字体使用彭真同志题词的手写体, 大小以与船体比例协调、美观为宜; 舷号的数字部分采用黑体, 大小与“中国海监”的四字比例协调为宜; 舷号字体颜色为黑色。

船舶标志使用和涂制

第十五条 中国海监船舶应在烟囱上涂制中国海监标志的拆分图。若烟囱位置较小可以在船舶其它醒目位置上涂制。

第十六条 “中国海监”舷号的后面涂以四条海蓝色斜道(色号为PB05《涂膜颜色标准样卡》GSB G51001-94)。斜道从舷墙的最上端开始, 向下至设计水线, 与艏柱平行; 四条斜道沿水线方向总宽度为船舶总长的二十分之一, 每条宽度为总宽度的七分之一, 斜道间距与宽度相等; 斜道的最前端与“中国海监”舷号的最后端沿水线方向距离与斜道总宽度相等(外形尺寸示意图见附件4)。

第十七条 使用中国海监舷号的船舶船体外部水线以上船壳板、上层建筑、烟囱、桅杆、起重设备、吊杆及栏杆为白色；锚机、绞盘、系缆桩、导索口为黑色；甲板为草绿色。

第十八条 使用中国海监舷号的船舶外观颜色、标志，未经中国海监总队批准，不得擅自更改。

附 则

第十九条 对违反本规定的，中国海监总队有权取消其中国海监船舶舷号，并追究其相应责任。

第二十条 本规定由国家海洋局负责解释。

附：1·中国海监船舶舷号的申请表(略)

2·中国海监船舶舷号注销表(略)

3·各海区及各省级海监部队代码(略)

4·中国海监船舶舷号及斜道涂制示意图(略)

5·题词(略)

国家海洋局办公室
二〇〇二年四月十六日

作者：国家海洋局办公室

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Annex 110

People's Republic of China, Ministry of Agriculture, Fishery Command Center, *Regulations on Fishery Administrative Enforcement and Supervision* (22 May 2009)

Regulations on Fishery Administrative Enforcement and Supervision

(Trial Implementation)

22 May 2009 10:55 AM [...]

Issued by: Fishery Administration Commanding Center of the Ministry of Agriculture

Document number: Nong Yu Fa No. [2009]16

Issue date: 22 May 2009

Implementation date: 22 May 2009

In order to carry out the *Guidelines for the Comprehensive Promotion of Law-Based Administration* and the spirit of National Fishery Work Meeting, to gradually establish the hierarchical supervisory structure for fishery groups, and to further regulate the administrative law enforcement in the fishery industry to ensure the full execution of laws and regulations relating to fisheries, the Fishery Administration Commanding Center has promulgated the *Provisions for Supervising Administrative Enforcement in Fisheries (Trial Implementation)* pursuant to *Implementation Opinions of the Ministry of Agriculture Regarding the Promotion of the Law Enforcement Responsibility System* as well as actual conditions of administrative legal enforcement system for fisheries. It is hereby printed and distributed to you, please duly implement.

[...]

Article 1. In order to implement the administrative legal enforcement responsibility system for fisheries, enhance hierarchical supervision of administrative legal enforcement for fisheries, and to regulate the administrative legal enforcement actions for fisheries, these *Provisions* are hereby promulgated pursuant to requirements of laws and regulations such as the *Law of the People's Republic of China on Administrative Penalty* and *Fisheries Law of the People's Republic of China*.

Article 2. The Ministry of Agriculture is the authority that oversees administrative legal enforcement and supervisory work for fisheries nationwide; the Fishery Administrative Commanding Center is responsible for the concrete implementation of administrative legal enforcement and supervisory work for fisheries nationwide; the fishery bureaus of sea districts are responsible for implementing administrative legal enforcement and supervisory work in their respective sea districts; the provincial and local administrative departments are responsible for supervising the administrative legal enforcement and supervisory actions taken by fishery administrative legal enforcement agencies and individuals within their respective jurisdictions, and the specific implementation agencies shall be ascertained by this particular level of fishery administrative authorities.

[...]

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渔业行政执法督察规定（试行）

2009-5-22 10:55 【大 中 小】[【我要纠错】](#)

发文单位: 农业部渔政指挥中心

文 号: 农渔发[2009]16号

发布日期: 2009-5-22

执行日期: 2009-5-22

为贯彻落实《全面推进依法行政实施纲要》和全国渔政工作会议精神，逐步建立渔政队伍层级督察机制，进一步规范渔业行政执法行为，确保渔业法律法规的贯彻执行，根据《农业部关于推行行政执法责任制的实施意见》和渔业行政执法体制实际情况，我部制定了《渔业行政执法督察规定》（试行），现印发给你们，请遵照执行。

二〇〇九年五月二十二日

《渔业行政执法督察规定》（试行）

第一条 为落实渔业行政执法责任制，加强渔业行政执法队伍层级监督，规范渔业行政执法行为，根据《中华人民共和国行政处罚法》和《中华人民共和国渔业法》等法律法规规定，制定本规定。

第二条 农业部主管全国渔业行政执法督察工作；农业部渔政指挥中心负责具体实施全国渔业行政执法督察工作；各海区渔政局负责实施本海区渔业行政执法督察工作；省、地市级渔业行政主管部门负责对辖区内渔业行政执法单位及其执法人员的渔业行政执法行为进行督察，具体实施单位由本级渔业行政主管部门确定。

第三条 渔业行政执法督察工作坚持依法督察、程序规范、制度保障、严格监督的原则，强调层级监督。

第四条 渔业行政执法督察内容：

- （一）上级布置的重大渔业执法行动的贯彻执行情况；
- （二）《渔业行政执法六条禁令》的执行情况；
- （三）渔业行政执法单位及其执法人员履行法定职责情况；
- （四）渔业行政执法责任制的建立和执行情况；



- （五）渔业行政执法人员是否具备执法资格；
- （六）按规定着装及佩戴标志的情况；
- （七）渔政标志、执法装备的使用、管理及日常维护情况；
- （八）渔业行政执法违法行为和执法过错的追究和纠正情况。

第五条 渔业行政执法督察坚持日常监督与专项督察相结合，督察的主要方式有：

- （一）开展渔业行政执法检查；
- （二）监督重大渔业行政执法活动；
- （三）开展渔业行政执法评议；
- （四）听取渔业行政执法工作报告；
- （五）调阅渔业行政执法案卷和文件资料；
- （六）受理、处置信访举报事项；
- （七）调查核实渔业行政执法违法行为和执法过错并督促有关机关处理；
- （八）发布渔业行政执法督察通报。

第六条 实施督察工作的单位需指定一名分管领导负责辖区内的渔业行政执法督察工作，并可根据工作需要设不少于2名督察员，由现职工作人员兼任。督察员根据渔业行政执法督察工作职责、辖区渔业行政执法工作实际和上级渔业行政执法督察工作安排，开展渔业行政执法督察工作。

第七条 地市级负责实施督察工作的单位所设督察员，由其所在单位确定，报省级渔业行政主管部门备案。省级负责实施督察工作的单位所设督察员，由其所在单位确定，报农业部渔政指挥中心备案。督察员应具备下列条件：

- （一）坚持原则，忠于职守，清正廉洁，不徇私情，严守纪律；
- （二）有大专以上学历和必要的法律知识；
- （三）有三年以上行政管理或执法经历以及一定的组织能力；
- （四）经过专门培训并经考核合格。

第八条 农业部渔政指挥中心负责全国督察员的培训和考核工作，并统一制作、发放督察标志和证件。

第九条 执行一般督察任务时，应按照报告、审批、实施和处理等程序进行，由分管领导审核批准；执行重大督察任务时，还应报单位主要领导批准，并报上一级负责督察工作的单位备案。

第十条 督察员执行督察任务时，不得少于二人。根据工作需要，可以采取明察和暗访等形式。督察员执行明察任务时，应着制服，佩戴督察标志，出示督察证件；进行暗访时，可着便装，依法开展督察工作。

第十一条 督察员履行职责时，应对被督察事项进行调查，调阅渔业行政执法案卷和其他有关材料；必要时，可询问被督察单位有关人员、行政管理相对人和知情人，被督察单位及其执法人员应予以配合。

第十二条 督察员发现渔业行政执法单位及其执法人员正在实施的执法行为不符合有关法律规定，如不及时制止将对国家、集体或他人合法权益造成严重损害的，应当场予以制止，并及时向分管领导报告。

第十三条 督察建议或督察决定应以本级渔业行政主管部门的名义做出。

第十四条 上级渔业行政主管部门可以指令下级渔业行政主管部门对专门事项进行督察，必要时可以直接派员督察。下级渔业行政主管部门应当按照要求，及时完成上级交办的督察事项，并及时上报督察结果。

第十五条 被督察单位存在下列情形之一的，负责督察工作的单位可根据其行为性质、情节、后果等严重程度，予以批评、通报批评：

- （一）未执行有关渔业法律法规规定或上级布置的重大渔业执法行动的；
- （二）安排不具备执法资格的人员从事渔业行政执法活动的；
- （三）不按规定报告年度渔业行政执法执行情况的；
- （四）拒绝接受或妨碍督察员依法进行督察的；
- （五）拖延执行督察决定或督察建议的。

第十六条 被督察人员存在下列情形之一的，负责督察工作的单位可以根据其行为性质、情节、后果等严重程度予以处理，建议或决定给予其批评教育，责令纠正违法行为，暂停其执法资格90天；情节严重的省以下被督察人员，可由省级督察单位决定取消其执法资格，并可由其所在单位给予行政处分；情节严重的省级及省级以上被督察人员，由农业部渔政指挥中心决定取消其执法资格，并可由其所在单位给予行政处分；涉嫌犯罪的，移交司法机关处理：

- （一）执法过程中有违法行为或执法过错的；
- （二）不履行法定职责、玩忽职守的；
- （三）违反职业道德、不文明执法的；
- （四）拒绝接受督察的；
- （五）拒不履行督察决定或无正当理由拒不采纳督察建议的；
- （六）其他违法失职行为。

第十七条 根据督察建议或督察决定被开除、撤职、降级、取消执法资格的执法人员如需重新录用、恢复职级或执法资格的，其所在单位应报提出督察建议或做出督察决定的单位备案。

第十八条 被督察单位，应当自收到督察决定或建议之日起30日内，以书面形式向提出督察决定或建议的单位报告落实情况。

第十九条 上级负责督察工作的单位发现下级负责督察工作的单位对督察事项处理不当的，可提出重新处理的建议。必要时，可责令下级负责督察工作的单位停止执行，并予以撤销或变更。

第二十条 被督察单位及人员对督察决定不服的，自接到督察决定书之日起5日内向做出督察决定的单位提出复核申请，做出督察决定的单位应当在10日内做出复核决定。

对复核决定不服的，可以自收到复核决定书之日起5日内向上一级负责督察工作的单位提出申诉，上级负责督察工作的单位应在1个月内予以答复。

复核、申诉期间不停止原督察决定的执行。但经复核或由上级负责督察工作的单位认定原督察决定确属不当或错误的，做出原督察决定的单位应立即变更或撤销，并采取适当方式消除影响。

第二十一条 督察员执行督察任务时，有下列情形之一的，应当回避：

- （一）与督察员本人有利害关系的；
- （二）与被督察单位有利害关系的；
- （三）其他可能影响执行公务的。

第二十二条 督察员违反本规定或在督察工作中违法违纪的，应依照有关规定追究责任；构成犯罪的，依法追究刑事责任。

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农业部渔政指挥中心

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Annex 111

People's Republic of China, Ministry of Agriculture, "More Powerful Equipment Added to Enforce Rights and Protect Fisheries" (9 Mar. 2010)

More Powerful Equipment Added to Enforce Rights and Protect Fisheries

Published: 9 March 2010

Source: The Fishery Bureau of Nanhai District, Ministry of Agriculture

[image]

The site of the launching ceremony for the FLECC Vessel 310

[image]

The leaders cut ribbon for Vessel 310

The China Fisheries Law Enforcement (“FLEC”) Vessel 310 has a gross tonnage of 2,580 tonnes, measures 108 meters long and 14 meters wide. It has a range of 6,000 nautical miles and can sail for 60 days and nights and go to international unrestricted navigation areas. The vessel has a maximum speed up to 22 knots. It is equipped with an onboard Z-9A helicopter, a modernized surface broadband satellite communication system, a photoelectric tracer evidence collection system, a maritime ultraviolet imager and a color fish finder. In China’s current fisheries law enforcement fleets, this ship is the fastest and most advanced ship in overall performance and has the most comprehensive special equipment.

At the launching ceremony, Wu Zhuang, chief of the Fishery Bureau of Nanhai District under the Ministry of Agriculture, said that ten years had passed from applying for the FLEC Vessel 310 in 2001 until today’s official launch, “it takes ten years to sharpen a sword,” and the result was not easy to come by. The vessel is yet another “fishery enforcement warship” after FLEC Vessel 311. Its successful launch and immediate placement into service will surely further strengthen the extent of the enforcement of our sovereignty and rights in the South China Sea, and allow the China fisheries law enforcement to be fully effective in the struggle to safeguard our rights; it will surely further enhance the extent to which we can protect the interests of our vast population of fishermen, and effectively improve China’s fisheries law enforcement’s amiable and trustworthy image among the fishermen; it will surely further enhance the extent to which we can conserve the South China Sea’s fishery resources, and promote scientific progress for the South China Sea’s fisheries.

Li Jianhua, director of the Fishery Bureau under the Ministry of Agriculture and chief of the China Fishery Law Enforcement Command, expressed wholeheartedly his gratitude, on behalf of the leaders of the Ministry of Agriculture, to all of the comrades who contributed their hard work and efforts in designing, inspecting, and manufacturing the FLEC Vessel 310. In his speech, he said that the 21st century is a century of ocean, and China Fishery Law Enforcement Command will face even more strenuous tasks in safeguarding our national maritime sovereignty and rights, protecting maritime biological resources and ecosystems, and safeguarding fishermen’s lawful rights. The FLEC Vessel 310 is China’s first newly constructed fishery law enforcement vessel of 2,500-tonnes, capable of an unrestricted navigation zone and equipped with a modernized helicopter. Its official launch is a major event in the history of China’s fishery law enforcement development. Not only is it the hope

of us working on fishery law enforcement and the hope of the South China Sea fishermen, it is also the hope of all Chinese who are concerned about China's enforcement of maritime rights and interests, and will surely enhance the level of the China Fishery Law Enforcement Command's modernization. The FLEC Vessel 310's successful launch is of landmark significance.

Also participating in the launching ceremony were leaders from relevant departments, such as: the South China Sea Fleet; the Border Control Administration of the Ministry of Public Security; the fishery regulatory departments of the three-provinces (areas) of Guangdong, Guangxi, and Hainan; and the Planning Department, Fishery Bureau, and Fishery Law Enforcement Command of the Ministry of Agriculture. Also present were: the managers of the various offices and departments of the Ministry of Agriculture's South China Sea Fishery Bureau; department heads, experts, and technicians who designed, inspected, and built the ship and factory; and the shipbuilding factory workers who toiled on the front lines, as well as reporters from the news media. More than 300 people attended the ceremony.

[...]



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南海区渔政局 > 工作动态

南海维权护渔又增添利器

发布时间: 2010-03-09 信息来源:



中国渔政310船下水仪式现场



领导为310船下水剪彩

中国渔政310船总吨位2580吨,长108米、宽14米,续航力为6000海里、持航60个昼夜、可驶往国际无限航区、最大航速可达每小时22海里。配备船载Z-9A型直升机,配置现代化的水上宽带卫星通讯系统、光电跟踪仪取证系统,设有海上红外线影像仪和彩色鱼探仪等特种设备,是我国目前渔政系统船舶中航速最快,总体性能最先进,特种设备配备最齐全的渔政船。

农业部南海区渔政局吴壮局长在下水仪式上指出，中国渔政310船从2001年申请立项，到今天正式下水，历时十年，“十年磨一剑”，来之不易，是继中国渔政311船之后的又一艘“渔政巨舰”。它的顺利下水和即将投入使用，必将进一步加大维护南海主权权益力度，充分发挥中国渔政在对外维权斗争中的作用；必将进一步加大保护广大渔民群众利益的力度，有效提升中国渔政在渔民群众中可亲、可信形象；必将进一步加大养护南海渔业资源的力度，促进南海渔业科学发展。

农业部渔业局局长、部渔政指挥中心主任李健华代表农业部领导向所有对中国渔政310船的设计、监理、建造与付出辛勤努力的同志们表示衷心的感谢！他在讲话中指出，21世纪是海洋的世纪，中国渔政维护国家海洋主权权益，保护海洋生物资源和生态环境、保障渔民合法权益的任务将更加繁重。中国渔政310船是我国第一艘新建的2500吨不限航区、现代化载机渔政船。它的正式下水，是中国渔政发展史上的一件大事，不仅是我们渔政人的期待，是南海渔民的期待，也是所有关注国家海洋权益维护的国人的期待，必将进一步提升中国渔政的现代化水平。中国渔政310船的胜利下水，具有里程碑意义。

参加下水仪式的还有南海舰队，公安部边防局，广东、广西、海南三省（区）渔业主管部门，农业部计划司，部渔业局，部渔政指挥中心等有关部门的领导，农业部南海区渔政局各处室负责人，设计、监理、造船厂等部门领导、专家、技术人员和奋战在一线的船厂工人以及新闻媒体的记者共300多人。

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Annex 112

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on September 19, 2011* (20 Sept. 2011)

Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on September 19, 2011

On the afternoon of September 19, 2011, Foreign Ministry Spokesperson Hong Lei held a regular press conference.

Hong Lei started the press conference with the following announcements:

At the invitation of the governments of France and the UK, State Councillor Dai Bingguo will have consultations in France and chair China-UK Strategic Dialogue in the UK from September 22 to 27.

At the invitation of the Chinese side, Mauritanian President Aziz will be in China from September 19 to 23 to attend relevant activities of the 2011 China (Ningxia) International Investment and Trade Fair & the 2nd China-Arab States Economic and Trade Forum held in Yinchuan, Ningxia and visit Anhui and Beijing. During his stay in China, President Hu Jintao and CPPCC Chairman Jia Qinglin will meet with him respectively. The two sides will exchange views on bilateral relations as well as international and regional issues of common interest.

Hong Lei also referred to Foreign Minister Yang Jiechi's attendance and speech at the opening ceremony of the International Seminar to Commemorate the 6th Anniversary of the Joint Statement of September 19 as well as the success of "Love Knows No Borders-International Charity Sale for Poor Mountain Villages in Yunnan Province".

Q: How does China look at the current situation in Libya? What is your comment on the Libyan National Transitional Council (NTC)'s statement of forming a new transitional government in the near future? When will the staff of the Chinese Embassy in Libya return to Tripoli?

A: The situation in Libya is undergoing major changes. China hopes that under the leadership of the NTC, all parties in Libya will swiftly launch an inclusive political transitional process, uphold national solidarity and unification to the maximum extent and steer Libya onto the track of post-war reconstruction as soon as possible.

We hope to see an early establishment of the Libyan transitional government and the return to a normal life of the Libyan people.

As far as I know, the staff of the Chinese Embassy in Libya are on their way back to Tripoli. The Chinese Ambassador to Libya will also return in light of his work arrangement.

Q: A Chinese non-governmental organization has reportedly nominated several international political figures as candidates for the "Confucius Peace Prize". What is China's comment?

A: It is learned that the prize was set up by a non-governmental organization and relevant activities were held by this NGO. I advise you to consult the host of the activity for information.

Q: It is reported that the US Government will not sell F-16 C/D fighter jets to Taiwan this time, but will upgrade its existing types of F-16 fighter jets. How does China respond? Second, how does China comment on the Indian company and Vietnam's joint development of the oil and gas field in the disputed area of the South China Sea?

A: China firmly opposes US arms sales to Taiwan. Our position in this regard is clear and consistent. We urge the US side to abide by the three China-US joint communiqués, especially the principles enshrined in the August 17 Communiqué and stop selling arms to Taiwan so as not to impair China-US relations as well as the peaceful development of cross-Straits relations.

On your second question, China has indisputable sovereignty over the Nansha Islands and their adjacent waters. China's claim over the South China Sea is grounded on ample historical and jurisprudential evidence. Any country or company's oil and gas exploration activity in the waters under China's jurisdiction without the permission of the Chinese Government is an infringement upon China's sovereignty, rights and interests, and is thus illegal and invalid. We hope relevant countries respect China's stance, rights and interests, earnestly implement the *Declaration on the Conduct of Parties in the South China Sea* and its guidelines and refrain from taking any unilateral action that may complicate and magnify disputes. Countries outside the region should respect and support the efforts of countries within the region to resolve disputes through bilateral negotiations.

Q: If the US declares its arms sale to Taiwan, what kind of action will China take in response?

A: No one can shake the resolve of the Chinese Government and people to defend national sovereignty and territorial integrity and combat foreign interference.

Q: Please give us more details about China's sovereignty claim over the South China Sea. Why does China oppose the joint oil and gas exploration between India and Vietnam?

A: The historical and jurisprudential evidence of China's sovereignty over the Nansha Islands is that China was the first to discover and name the islands in the South China Sea and also the first to exercise sustained sovereignty over them. China's discovery of the Nansha Islands can be traced back to Han Dynasty. Successive governments since Tang Dynasty have all administered the Nansha Islands. The People's Republic of China, since its founding in 1949, has continued to exercise sovereignty over the Nansha Islands. China has also developed, utilized and administered relevant waters of the South China Sea for a long stretch of time since antiquity. China's sovereignty, rights and relevant claims over the South China Sea have been formed in the long course of history and persistently upheld by the Chinese government.

China is committed to peacefully resolving disputes over island sovereignty and maritime demarcation in the South China Sea through direct negotiation and friendly consultation between parties concerned on the basis of historical facts and international law.

I want to stress that any country or company's oil and gas exploration activity in the waters under China's jurisdiction without the permission of the Chinese Government is an infringement upon China's sovereignty, rights and interests, and is thus illegal and invalid.

Q: The US said that it would veto Palestine's statehood appeal to the UN. In that case, Palestine may seek to join the UN as an observer state. What is China's position on that?

A: China always supports the Palestinian people's just cause of restoring lawful national rights and regards the founding of an independent state as an inalienable lawful right of the Palestinian people as well as the precondition and foundation for peace between Palestine and Israel. We support the establishment of an independent and fully sovereign Palestinian state along the 1967 border with East Jerusalem as the capital.

China understands, respects and supports Palestine submitting the statehood plan to the UN. Meanwhile, China also appreciates Palestine's balanced strategy of founding an independent state and engaging in peace talks.

Q: It is reported that the DPRK and the ROK top nuclear negotiators will meet in Beijing. Please brief us on that.

A: China supports the contact and dialogue between the South and the North and hopes to see positive outcomes out of relevant dialogue so as to facilitate the resumption of the Six-Party Talks. We have maintained close communication and contact with all relevant parties, including the ROK and the DPRK with a view to jointly pressing ahead with the Six-Party Talks.

Annex 113

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Jiang Yu's Regular Press Conference on September 15, 2011* (16 Sept. 2011)

Foreign Ministry Spokesperson Jiang Yu's Regular Press Conference on September 15, 2011

On the afternoon of September 15, 2011, Foreign Ministry Spokesperson Jiang Yu held a regular press conference.

Jiang Yu started the press conference with the following announcement:

The 9th East Asia Forum will be held in Chengdu, Sichuan from September 15 to 17, attracting about 100 participants including government, industrial and academic representatives from the ten ASEAN countries, China, Japan and the ROK as well as officials from the ASEAN Secretariat. CPPCC Vice Chairman Abdul'ahat Abdulrixit will attend and address the opening ceremony. Assistant Foreign Minister Liu Zhenmin will lead the Chinese delegation to the meeting.

The theme of the forum is "to promote regional integration: the endogenous growth momentum in East Asia". China looks forward to conducting serious study and in-depth discussions with all participants on major, realistic issues concerning regional cooperation in East Asia and bringing forward new ideas on further developing East Asian cooperation. Policy proposals incubated in the meeting will be submitted to the ASEAN+3 Leaders' Meeting to be held this November in Bali, Indonesia.

Q: China helps the European countries tide over the debt crisis by purchasing bonds and expanding investment. Does China expect payback from the European side, for example, to lift the arms embargo or to recognize China's market economy status?

A: The Foreign Ministry is not the competent authority to answer questions about the European debt crisis or whether China will buy any European country's bonds. Please consult relevant economic and financial authorities.

Recently, Chinese leaders expressed some views on relevant issues on different occasions. We believe that the resolution of the European debt crisis calls for the consensus and coordinated actions of the EU, especially the eurozone countries on relevant bail-out measures. We support the economic and financial adjustments made by some European countries to stabilize the market, balance public finance and promote economic restructuring. We would like to enhance communication and coordination with all European countries on the formulation of macroeconomic policies, reform of the international financial system and global economic governance. China always upholds the principle of mutual benefit on an equal footing in trade and economic cooperation.

On lifting the arms embargo and recognizing China's market economy status as you have mentioned, we believe that it is important for China and the EU, the comprehensive strategic partners, to understand, respect and treat each other as equals. We deem that these two issues are, in essence, political discrimination against China, which should be removed as soon as possible so as to cast off the burdens for China-EU relationship and push for its better and faster development. We hope that leaders of the European countries will come to the correct judgement as soon as possible.

Q: It is reported that the Indian Government has rejected China's representations on an Indian company's joint oil exploration with Vietnam in the South China Sea. Please confirm. Does China's claim on the South China Sea violates the UN Convention on the Law of the Sea?

A: I have not heard about the situation that you mentioned. I would like to reiterate that China has indisputable sovereignty over the Nansha Islands and their adjacent waters. China's claim on the South China Sea is grounded on sufficient historical and jurisprudential evidence. We are committed to peacefully resolving disputes over territorial sovereignty and maritime rights and interests in the South China Sea through negotiation and consultation between

parties concerned on the basis of historical facts and international law. We have contributed to the peace, stability, security and order of the South China Sea.

We hope that relevant countries can respect China's stand, rights and interests and refrain from taking unilateral actions to complicate and magnify the issue. Countries outside the region should respect and support the efforts of countries within the region to resolve disputes through bilateral negotiation.

We oppose any other country's oil and gas exploration activity in the waters under China's jurisdiction and hope relevant foreign company do not involve itself in the South China Sea dispute.

I want to stress that it is in the common interests and should be the common goal of all countries within the region to address the dispute appropriately, bridge differences, enhance mutual trust, expand cooperation and maintain regional peace and stability of the South China Sea.

China's sovereignty, rights and relevant claims over the South China Sea have been formed in the long course of history and upheld by the Chinese government. Our sovereignty over the islands in the South China Sea is based on discovery, preoccupation as well as long-term, sustained and effective management. The UN Convention on the Law of the Sea does not entitle any country to extend its exclusive economic zone or continental shelf to the territory of another country, and it does not restrain or deny a country's right which is formed in history and abidingly upheld.

Q: It is learned that the 66th Session of the UN General Assembly will talk over the issue of letting the Libyan National Transitional Council (NTC) represent Libya in the UN. How does China look at it?

A: China supports the Libyan NTC representing Libya in the UN.

Q: Israeli Foreign Minister Liberman made some remarks on Palestine's appeal to the UN for statehood and claimed that Israel had deployed more troops along the border. What is your comment on Palestine-Israel conflict? Separately, how do you look at the current situation in Syria?

A: China always supports the Palestinian and Arab people's just cause of striving for the restoration of lawful national rights, and respects and supports Palestine submitting the issue of establishing an independent state to the UN. We are of the view that it is a lawful appeal for the Palestinian people to found a capital on the occupied Arab territory. We hope that all relevant parties will discard violence, exercise restraint and resolve the dispute through peace talks. This is the only way to realize the two-state solution.

On the situation in Syria, we hope that all relevant parties there will discard violence, exercise maximum restraint, dissolve current tensions as soon as possible and resolve the dispute through dialogue and consultation. We hope to see an early launch of the inclusive political process in Syria which will lead to substantive and practical outcomes.

Q: The most popular Japanese band will hold a concert in Beijing tomorrow. How will this kind of cultural exchanges help to improve and develop China-Japan relations?

A: We support friendly people-to-people interactions and exchanges between our two countries. We hope that the friendship between the two peoples will be constantly improved through various kinds of exchanges and interactions.

Q: It is reported that four suspects of violence and terrorism were sentenced to death today in Xinjiang. What is your comment on the security situation in Xinjiang? Separately, Malaysia has recently extradited several Uygur suspects to China. What is China's position on its cooperation with neighbouring countries in repatriating suspects?

A: The local People's Court in Xinjiang announced publicly its first-instance judgement on two severe incidents of violence and terrorism. Detailed facts were also made known to the public. These two cases seriously impaired the safety of the local people's life and property as well as the overall interests of development and stability. I believe that the Government of the Autonomous Region will take powerful measures to crack down on violent and terrorist crimes

in accordance with law. We unswervingly safeguard the stability and rule of law of the Xinjiang Autonomous Region, the fundamental interests of people of all ethnicities as well as national solidarity. To maintain stability, national solidarity and promote local economic and social development is the common aspiration of people of all ethnicities in the Xinjiang Autonomous Region.

On the case you mentioned, I can tell you that the Malaysian police has recently assisted the Chinese police in the capture of several Chinese illegal immigrants and key figures that organized human smuggling. Police of the two countries cooperate in light of the judicial assistance procedure. Competent Chinese authorities will handle relevant cases in accordance with law. We maintain that the international community should work together resolutely and take concerted actions to crack down on cross-border crimes, including human smuggling.

Q: It is reported that the African Union High-Level Ad Hoc Committee on Libya recently held a meeting in South Africa, discussing the situation in Libya. The joint communiqué released by the meeting calls for an early establishment of an inclusive coalition government in Libya. What is China's comment?

A: China appreciates the positive role played by the African Union on the Libyan issue. The early restoration of stability in Libya is in the common interests of the Libyan people as well as the international community. We hope that all parties in Libya launch an inclusive political transitional process, realize national reconciliation and start reconstruction. The future development path of Libya should be independently decided by the Libyan people.

Q: The Indian Cabinet Committee on Security reportedly approved the new China-India border management mechanism recently. What is China's comment?

A: On the sidelines of the Third BRICS Leaders Meeting this April, leaders of China and India reached principled consensus on the establishment of a consultation and coordination mechanism on border issues, which would handle major border affairs bearing on peace and tranquility of the border area from the diplomatic dimension. At present, both sides are discussing the content, operation and other specific issues of the mechanism at the working level.

Q: The recent Arab League Foreign Ministers' Meeting called on Syria to cease violence and launch national dialogue. The EU attempts to impose more sanctions on Syria while some countries push for the discussion of the Syrian issue in the UN Security Council. Is China of the view that the international community should take further actions against Syria?

A: The Syrian issue should be resolved by all relevant parties in Syria through consultation. We hope to see an early launch of Syria-led political process so as to dissolve the crisis through dialogue. We maintain that the international community should abide by the purposes and principles of the United Nations Charter as well as the norms governing international relations and fully respect Syria's sovereignty, independence and territorial integrity. Whether the international community should take further action on the Syrian issue mainly depends on whether it is conducive to easing the tensions in Syria, promoting the resolution of disputes through political dialogue and safeguarding peace and stability in the Middle East region.

Q: What is China's comment on Chinese military chopper's trespass over India's line of actual control?

A: China's position on the border issue between China and India is to seek a fair and equitable solution acceptable to both sides through friendly consultation on an equal footing. Pending a final settlement, both sides should safeguard peace and tranquility of the border area and ensure that the border issue will not stand in the way of the normal development of bilateral relations. This is the consensus of both leaders. China strictly follows the spirit of relevant bilateral agreements and consensus and has never done anything that impairs border peace, stability and tranquility.

Annex 114

People's Republic of China, *Page from People's Republic of China Passport* (2012)



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Annex 115

“Philippines Must Learn Self-Restraint in South China Sea Disputes,” *People’s Daily* (1 Mar. 2012)

Philippines must learn self-restraint in South China Sea disputes

Edited and translated by People's Daily Online

While most stakeholders in the South China Sea are implementing the Declaration on the Conduct of Parties in the South China Sea and making active efforts to ease regional tensions through multi-level and multi-faceted cooperation, the Philippines is deliberately stirring up trouble and exerting unnecessarily adverse impact on regional security and stability.

The Philippines is directly responsible for recent escalation of the South China Sea dispute. On Feb. 27, Jose Rene D. Almendras, Philippine Secretary of Energy, announced that the country plans to invite foreign investors to explore 15 petroleum blocks, which he claimed as Philippine territory. Almendras' statement runs counter to facts, and shows total ignorance of China's sovereignty over its territorial waters.

Adhering to its stand on the South China Sea issue, China has taken the interests of all stakeholders into account, and made active efforts to promote multi-faceted cooperation with relevant countries and explore a peaceful solution to the issue.

Last July, China and other parties concerned agreed on the guidelines for implementing the Declaration on the Conduct of Parties in the South China Sea.

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Philippines must learn self-restraint in South China Sea disputes (2)

China's efforts have been aimed at resolving the South China Sea issue peacefully and maintaining stability in Asia, especially in the disputed sea areas.

China has indisputable sovereignty over the Nansha Islands and its adjacent waters, and it is illegal for any country or company to explore oil or gas in sea areas under Chinese jurisdiction without the permission of the Chinese government.

Any exploration and development project in these areas without China's consent cannot be successful. China is firmly determined to safeguard its sovereignty, and will take all possible measures to solve such problems when necessary.

The peaceful settlement of the South China Sea issue is a complex long-term project. All parties concerned should earnestly implement the Declaration on the Conduct of Parties in the South China Sea, and smooth the path for future negotiations based on the principles established in the declaration. Most importantly, they need to build up mutual trust through pragmatic cooperation.

The Philippines should return to the right track of maintaining peace and stability in the South China Sea, adhere to the spirit of the Declaration on the Conduct of Parties in the South China Sea, and refrain from taking moves that will complicate or aggravate the dispute. It should remember that any irresponsible unilateral action in resolving the dispute will only backfire.

Read the Chinese version at

http://paper.people.com.cn/rmrb/html/2012-02/29/nw.D110000renmrb_20120229_1-03.htm

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Annex 116

People's Republic of China, *Regulations Governing Marine Observation and Forecast* (1 Mar. 2012)

Decree of the State Council: *Regulations Governing Marine Observation and Forecast*

Source: Central Government Web Portal

Released on: 8 March 2012 [...]

Decree of the State Council of the People's Republic of China

No. 615

Regulations Governing Marine Observation and Forecast was passed by the 192nd regular meeting of the State Council on 15 February 2012. It is hereby promulgated for implementation on 1 June 2012.

Premier: Wen Jiabao

1 March 2012

Regulations Governing Marine Observation and Forecast

Chapter 1 General Provisions

Article 1. These Regulations were formulated to strengthen the administration of marine observation and forecast, regulate marine observation and forecast activities, prevent and mitigate marine disasters and serve economic development, the construction of national defense and social development.

Article 2. These Regulations shall be abided when conducting any activities of marine observation and forecast within the territories of the People's Republic of China and territorial waters under the jurisdiction of the People's Republic of China.

[...]

Article 19. Any international organizations, foreign organizations or foreign nationals conducting marine observation and forecast activities within the territories of the People's Republic of China and territorial waters under the jurisdiction of the People's Republic of China shall abide by the requirements of the *Provisions of the People's Republic of China on the Administration of Foreign-Related Maritime Scientific Research*.

International organizations, foreign organizations, or foreign nationals conducting marine observation and forecast activities within the territories of the People's Republic of China and territorial waters under the jurisdiction of the People's Republic of China shall abide by the laws and regulations of the People's Republic of China and shall not endanger the national security of the People's Republic of China.

Article 20. No organization or individual shall provide, without approval, international organizations, foreign organizations or foreign nationals any observation data and outcomes that are state secrets. If it is necessary to provide such information, it shall first be reported for approval to the competent maritime authority in the State Council, or to the competent maritime authority at the coastal province, special administrative region or people's government at the directly-controlled municipality. The competent maritime authorities shall consult with other relevant authorities at the same level of the people's

government prior to approval; if any implication of military secrets is involved, the competent maritime authorities shall get approval from the concerned military authorities.

[...]

Article 35. Organizations or individuals that provide marine observation data and outcomes that are state secrets to international organizations, foreign organizations, or foreign nationals without approval shall be ordered to cease such illegal activity by competent maritime authorities. Any illegal revenue resulting from such illegal activity shall be confiscated, and any constitution of criminal activity shall be prosecuted to the fullest extent of criminal law.

[...]

Article 40. These Regulations shall be implemented on 1 June 2012.

[...]

2014年03月10日 星期一

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您现在的位置是: 国家海洋局>信息公开>法规及国务院文件>涉海行政法规

国务院令：《海洋观测预报管理条例》

来源：中央政府门户网站 发布时间：2012-03-08 [打印本页] [关闭窗口]

中华人民共和国国务院令
第615号

《海洋观测预报管理条例》已经2012年2月15日国务院第192次常务会议通过，现予公布，自2012年6月1日起施行。

总理 温家宝
二〇一二年三月一日

海洋观测预报管理条例

第一章 总 则

第一条 为了加强海洋观测预报管理，规范海洋观测预报活动，防御和减轻海洋灾害，为经济建设、国防建设和社会发展服务，制定本条例。

第二条 在中华人民共和国领域和中华人民共和国管辖的其他海域从事海洋观测预报活动，应当遵守本条例。

第三条 海洋观测预报事业是基础性公益事业。国务院和沿海县级以上地方人民政府应当将海洋观测预报事业纳入本级国民经济和社会发展规划，所需经费纳入本级财政预算。

第四条 国务院海洋主管部门主管全国海洋观测预报工作。

国务院海洋主管部门的海区派出机构依照本条例和国务院海洋主管部门规定的权限，负责所管辖海域的海洋观测预报监督管理。

沿海县级以上地方人民政府海洋主管部门主管本行政区毗邻海域的海洋观测预报工作。

第五条 国家鼓励、支持海洋观测预报科学技术的研究，推广先进的技术和设备，培养海洋观测预报人才，促进海洋观测预报业务水平的提高。

对在海洋观测预报工作中作出突出贡献的单位和个人，给予表彰和奖励。

第二章 海洋观测网的规划、建设与保护

第六条 国务院海洋主管部门负责编制全国海洋观测网规划。编制全国海洋观测网规划应当征求国务院有关部门和有关军事机关的意见，报国务院或者国务院授权的部门批准后实施。

海洋要闻 >更多

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- “雪龙”船成功脱困

沿海省、自治区、直辖市人民政府海洋主管部门应当根据全国海洋观测网规划和本行政区毗邻海域的实际情况，编制本省、自治区、直辖市的海洋观测网规划，在征求本级人民政府有关部门的意见后，报本级人民政府批准实施，并报国务院海洋主管部门备案。

修改海洋观测网规划，应当按照规划编制程序报原批准机关批准。

第七条 编制海洋观测网规划，应当坚持统筹兼顾、突出重点、合理布局的原则，避免重复建设，保障国防安全。

编制海洋观测网规划，应当将沿海城市和人口密集区、产业园区、滨海重大工程所在区、海洋灾害易发区和海上其他重要区域作为规划的重点。

第八条 海洋观测网规划主要包括规划目标、海洋观测网体系构成、海洋观测站（点）总体布局及设施建设、保障措施等内容。

第九条 海洋观测网的建设应当符合海洋观测网规划，并按照国家固定资产投资项目建设程序组织实施。

海洋观测站（点）的建设应当符合国家有关标准和技术要求，保证建设质量。

第十条 国务院海洋主管部门和沿海县级以上地方人民政府海洋主管部门负责基本海洋观测站（点）的设立和调整。

有关主管部门因水利、气象、航运等管理需要设立、调整有关观测站（点）开展海洋观测的，应当事先征求有关海洋主管部门的意见。

其他单位或者个人因生产、科研等活动需要设立、调整海洋观测站（点）的，应当按照国务院海洋主管部门的规定，报有关海洋主管部门批准。

第十一条 海洋观测站（点）及其设施受法律保护，任何单位和个人不得侵占、毁损或者擅自移动。

第十二条 国务院海洋主管部门、沿海县级以上地方人民政府海洋主管部门，应当商本级人民政府有关部门按照管理权限和国家有关标准划定基本海洋观测站（点）的海洋观测环境保护范围，予以公告，并根据需要在保护范围边界设立标志。

禁止在海洋观测环境保护范围内进行下列活动：

- （一）设置障碍物、围填海；
- （二）设置影响海洋观测的高频电磁辐射装置；
- （三）影响海洋观测的矿产资源勘探开发、捕捞作业、水产养殖、倾倒废弃物、爆破等活动；
- （四）可能对海洋观测产生危害的其他活动。

第十三条 新建、改建、扩建建设工程，应当避免对海洋观测站（点）及其设施、观测环境造成危害；确实无法避免的，建设单位应当按照原负责或者批准设立、调整该海洋观测站（点）的主管部门的要求，在开工建设前采取增建抗干扰设施或者新建海洋观测站（点）等措施，所需费用由建设单位承担。

第三章 海洋观测与资料的汇交使用

第十四条 从事海洋观测活动应当遵守国家海洋观测技术标准、规范和规程。

从事海洋观测活动的单位应当建立质量保证体系和计量管理体系，加强对海洋观测资料获取和传输的质量控制，保证海洋观测资料的真实性、准确性和完整性。

第十五条 海洋观测使用的仪器设备应当符合国家有关产品标准、规范和海洋观测技术要求。

海洋观测计量器具应当依法经计量检定合格。未经检定、检定不合格或者超过检定周期的计量器具，不得用于海洋观测。对不具备检定条件的海洋观测计量器具，应当通过校准保证量值溯源。

第十六条 国家建立海上船舶、平台志愿观测制度。

承担志愿观测的船舶、平台所需要的海洋观测仪器设备由海洋主管部门负责购置、安装和维修；船舶、平台的所有权人或者使用权人应当予以配合，并承担日常管护责任。

第十七条 从事海洋观测活动的单位应当按照国务院海洋主管部门的规定，将获取的海洋观测资料向有关海洋主管部门统一汇交。

国务院海洋主管部门和沿海县级以上地方人民政府海洋主管部门应当妥善存储、保管海洋观测资料，并根据经济建设和社会发展需要对海洋观测资料进行加工整理，建立海洋观测资料数据库，实行资料共享。

海洋观测资料的汇交、存储、保管、共享和使用应当遵守保守国家秘密法律、法规的规定。

第十八条 国家机关决策和防灾减灾、国防建设、公共安全等公益事业需要使用海洋观测资料的，国务院海洋主管部门和沿海县级以上地方人民政府海洋主管部门应当无偿提供。

第十九条 国际组织、外国的组织或者个人在中华人民共和国领域和中华人民共和国管辖的其他海域从事海洋观测活动，依照《中华人民共和国涉外海洋科学研究管理规定》的规定执行。

国际组织、外国的组织或者个人在中华人民共和国领域和中华人民共和国管辖的其他海域从事海洋观测活动，应当遵守中华人民共和国的法律、法规，不得危害中华人民共和国的国家安全。

第二十条 任何单位和个人不得擅自向国际组织、外国的组织或者个人提供属于国家秘密的海洋观测资料 and 成果；确需提供的，应当报国务院海洋主管部门或者沿海省、自治区、直辖市人民政府海洋主管部门批准；有关海洋主管部门在批准前，应当征求本级人民政府有关部门的意见，其中涉及军事秘密的，还应当征得有关军事机关的同意。

第四章 海洋预报

第二十一条 国务院海洋主管部门和沿海县级以上地方人民政府海洋主管部门所属的海洋预报机构应当根据海洋观测资料，分析、预测海洋状况变化趋势及其影响，及时制作海洋预报和海洋灾害警报，做好海洋预报工作。

国务院海洋主管部门和沿海县级以上地方人民政府海洋主管部门所属的海洋预报机构应当适时进行海洋预报和海洋灾害警报会商，提高海洋预报和海洋灾害警报的准确性、及时性。

第二十二条 海洋预报和海洋灾害警报由国务院海洋主管部门和沿海县级以上地方人民政府海洋主管部门所属的海洋预报机构按照职责向公众统一发布。其他任何单位和个人不得向公众发布海洋预报和海洋灾害警报。

第二十三条 国务院有关部门、沿海地方各级人民政府和沿海县级以上地方人民政府有关部门应当根据海洋预报机构提供的海洋灾害警报信息采取必要措施，并根据防御海洋灾害的需要，启动相应的海洋灾害应急预案，避免或者减轻海洋灾害。

第二十四条 沿海县级以上地方人民政府指定的当地广播、电视和报纸等媒体应当安排固定的时段或者版面，及时刊播海洋预报和海洋灾害警报。

广播、电视等媒体改变海洋预报时段时，应当事先与有关海洋主管部门协商一致，但是因特殊需要，广播电视行政部门要求改变播出时段的除外。对国计民生可能产生重大影响的海洋灾害警报，应当及时增播或者插播。

第二十五条 广播、电视和报纸等媒体刊播海洋预报和海洋灾害警报，应当使用国务院海洋主管部门和沿海县级以上地方人民政府海洋主管部门所属的海洋预报机构提供的信息，并明示海洋预报机构的名称。

第二十六条 沿海县级以上地方人民政府应当建立和完善海洋灾害信息发布平台，根据海洋灾害防御需要，在沿海交通枢纽、公共活动场所等人口密集区和海洋灾害易发区建立海洋灾害警报信息接收和播发设施。

第二十七条 国务院海洋主管部门和沿海省、自治区、直辖市人民政府海洋主管部门应当根据海洋灾害分析统计结果，商本级人民政府有关部门提出确定海洋灾害重点防御区的意见，报本级人民政府批准后公布。

在海洋灾害重点防御区内设立产业园区、进行重大项目建设的，应当在项目可行性论证阶段，进行海洋灾害风险评估，预测和评估海啸、风暴潮等海洋灾害的影响。

第二十八条 国务院海洋主管部门负责组织海平面变化和影响气候变化的重大海洋现象的预测和评估，并及时公布预测意见和评估结果。

沿海省、自治区、直辖市人民政府海洋主管部门应当根据海洋灾害防御需要，对沿海警戒潮位进行核定，报本级人民政府批准后公布。

第五章 法律责任

第二十九条 国务院海洋主管部门及其海区派出机构、沿海县级以上地方人民政府海洋主管部门，不依法作出行政许可或者办理批准文件，发现违法行为或者接到对违法行为的举报不予查处，或者有其他未依照本条例规定履行职责的行为的，对直接负责的主管人员和其他直接责任人员依法给予处分；直接负责的主管人员和其他直接责任人员构成犯罪的，依法追究刑事责任。

第三十条 国务院海洋主管部门及其海区派出机构、沿海县级以上地方人民政府海洋主管部门所属的海洋预报机构瞒报、谎报或者由于玩忽职守导致重大漏报、错报、迟报海洋灾害警报的，由其上级机关或者监察机关责令改正；情节严重的，对直接负责的主管人员和其他直接责任人员依法给予处分；直接负责的主管人员和其他直接责任人员构成犯罪的，依法追究刑事责任。

第三十一条 未经批准设立或者调整海洋观测站（点）的，由有关海洋主管部门责令停止违法行为，没收违法活动使用的仪器设备和违法获得的海洋观测资料，并处2万元以上10万元以下的罚款；符合海洋观测网规划的，限期补办有关手续；不符合海洋观测网规划的，责令限期拆除；逾期不拆除的，依法实施强制拆除，所需费用由违法者承担。

第三十二条 违反本条例规定，有下列行为之一的，由有关海洋主管部门责令停止违法行为，限期恢复原状或

者采取其他补救措施，处2万元以上20万元以下的罚款；逾期不恢复原状或者不采取其他补救措施的，依法强制执行；造成损失的，依法承担赔偿责任；构成犯罪的，依法追究刑事责任：

- (一) 侵占、毁损或者擅自移动海洋观测站（点）及其设施的；
- (二) 在海洋观测环境保护范围内进行危害海洋观测活动的。

第三十三条 违反本条例规定，有下列行为之一的，由有关主管部门责令限期改正，给予警告；逾期不改正的，处1万元以上5万元以下的罚款：

- (一) 不遵守国家海洋观测技术标准、规范或者规程的；
- (二) 使用不符合国家有关产品标准、规范或者海洋观测技术要求的海洋观测仪器设备的；
- (三) 使用未经检定、检定不合格或者超过检定周期的海洋观测计量器具的。

违反本条第一款第二项、第三项规定的，责令限期更换有关海洋观测仪器设备、海洋观测计量器具。

第三十四条 从事海洋观测活动的单位未按照规定汇交海洋观测资料的，由负责接收海洋观测资料的海洋主管部门责令限期汇交；逾期不汇交的，责令停止海洋观测活动，处2万元以上10万元以下的罚款。

第三十五条 单位或者个人未经批准，向国际组织、外国的组织或者个人提供属于国家秘密的海洋观测资料或者成果的，由有关海洋主管部门责令停止违法行为；有违法所得的，没收违法所得；构成犯罪的，依法追究刑事责任。

第三十六条 违反本条例规定发布海洋预报或者海洋灾害警报的，由有关海洋主管部门责令停止违法行为，给予警告，并处2万元以上10万元以下的罚款；构成违反治安管理行为的，依法给予治安管理处罚；构成犯罪的，依法追究刑事责任。

第三十七条 广播、电视、报纸等媒体有下列行为之一的，由有关主管部门责令限期改正，给予警告；情节严重的，对直接负责的主管人员和其他直接责任人员依法给予处分：

- (一) 未依照本条例规定刊播海洋预报、海洋灾害警报的；
- (二) 未及时增播或者插播对国计民生可能产生重大影响的海洋灾害警报的；
- (三) 刊播海洋预报、海洋灾害警报，未使用海洋主管部门所属的海洋预报机构提供的信息的。

第六章 附则

第三十八条 本条例下列用语的含义是：

(一) 海洋观测，是指以掌握、描述海洋状况为目的，对潮汐、盐度、海温、海浪、海流、海冰、海啸波等进行的观察测量活动，以及对相关数据采集、传输、分析和评价的活动。

(二) 海洋预报，是指对潮汐、盐度、海温、海浪、海流、海冰、海啸、风暴潮、海平面变化、海岸侵蚀、咸潮入侵等海洋状况和海洋现象开展的预测和信息发布的活动。

(三) 海洋观测站(点), 是指为获取海洋观测资料, 在海洋、海岛和海岸设立的海洋观测场所。

(四) 海洋观测设施, 是指海洋观测站(点)所使用的观测站房、雷达站房、观测平台、观测井、观测船、浮标、潜标、海床基、观测标志、仪器设备、通信线路等及附属设施。

(五) 海洋观测环境, 是指为保证海洋观测活动正常进行, 以海洋观测站(点)为中心, 以获取连续、准确和具有代表性的海洋观测数据为目标所必需的最小立体空间。

第三十九条 中国人民解放军的海洋观测预报工作, 按照中央军事委员会的有关规定执行。

海洋环境监测及监测信息的发布, 依照有关法律、法规和国家规定执行。

第四十条 本条例自2012年6月1日起施行。

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Annex 117

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Liu Weimin's Regular Press Conference on April 12, 2012 (12 Apr. 2012)*

**Regular press conference of Ministry of Foreign Affairs Spokesperson Liu Weimin
on 12 April 2012**

[...]

Question: Please confirm the reports that the Chinese have sent out a third vessel to the Huangyan Island waters. If so, did the Chinese send military vessels or oceanic administrative vessels?

Answer: Relevant Chinese authorities have dispatched administrative vessels rather than military vessels to the Huangyan Island waters to protect the safety and legitimate fishing activities of Chinese fishermen and fishing vessels. We have solemnly expressed our position to the Philippines, requesting Filipino vessels to immediately leave these waters and to prevent the complication and expansion of the incident. Currently, China and the Philippines are maintaining communications about this issue through diplomatic channels.

[...]

2012年4月12日外交部发言人刘为民举行例行记者会

2012年4月12日外交部发言人刘为民举行例行记者会

2012/04/12

2012年4月12日，外交部发言人刘为民主持例行记者会。

问：据报道，金砖国家正在讨论支持尼日利亚经济与财政部长竞选世界银行行长，请证实并介绍中方立场。

答：中方支持世行行长选举按照“公开、透明、择优”原则进行，就此与各方保持着沟通。中方希望下任世行行长不断推进世行治理结构改革，进一步提高发展中国家在世行的发言权和代表权，使全球减贫与发展事业取得更大成就。

问：据报道，中方向黄岩岛海域派出了第三艘船只，请证实。如是，中方派出的船只是军舰还是海监船？

答：中国有关部门已派出政府公务船而非军舰前往黄岩岛海域，保护中国渔民和渔船的安全以及正当的渔业活动。我们已向菲方提出严正交涉，要求菲律宾军舰立即撤离该海域，避免使事件复杂化、扩大化。目前中菲双方正通过外交渠道就此保持着沟通。

问：近来，南北苏丹在边境地区多次爆发武装冲突。中方对此有何评论？

答：近来南北苏丹在边境地区爆发的武装冲突已引起国际社会普遍关注，中方也对此深感忧虑。南北苏丹互为邻居，理应和睦相处。目前的紧张局势不仅对两国社会稳定和经济发展造成严重影响，也威胁到地区的和平与安全。我们呼吁两苏从大局和长远出发，保持最大限度的冷静与克制，立即停止冲突，脱离军事接触，坚持通过谈判妥善解决有关分歧，这符合双方的根本利益。中方将同国际社会有关各方一道为此做出自己的努力。我们也希望双方信守承诺，切实保护中方企业的财产和人员安全。

问：中国外交部今天就叙利亚停火发表了声明，中方今天是否与叙政府及相关中东国家就停火问题进行沟通？下一步将采取什么措施？第二，冰岛政府今天宣布温家宝总理将于近日访冰，请证实并介绍访问行程。

答：关于叙利亚问题，中方欢迎叙政府的有关决定，这有助于缓和叙紧张局势，是叙问题朝着政治解决方向迈出的重要一步，标志着联合国-阿盟叙危机联合特使安南斡旋努力取得重要进展。我们希望叙各方切实履行承诺，执行安南“六点建议”。

中方一直致力于缓和叙紧张局势，推进政治解决进程，中方努力取得积极成效。我们同安南特使保持接触沟通，全力支持他的斡旋努力，同叙政府和反对派都保持着沟通，积极劝和促谈。昨天，杨洁篪外长专门就叙局势致信叙外长，外交部主管司局负责人约见叙驻华大使。中方还与西亚北非地区有关国家、阿盟、俄罗斯以及美欧国家保持密切沟通协调。中方愿继续同各方一道，支持安南特使的斡旋努力，为推动叙问题早日得到公正、和平和妥善解决发挥建设性作用。

关于第二个问题，中方将很快发布消息。

问：今天是朝鲜预告的射星时间窗口的第一天，日本等国宣布进入全面戒备状态，中方是否有应对措施？是否与朝方就发射日期保持着沟通？中方是否派团赴朝观摩？

答：中方在朝鲜宣布发射卫星问题上的立场没有变化，关键词是着眼大局、冷静克制，共同维护本地区的和平与稳定。中方就此与有关各方保持着密切沟通和协调。我目前没有听说有专家将赴朝观摩。



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Annex 118

People's Republic of China, Ministry of Agriculture, South China Sea Fishery Bureau, *Announcement on the 2012 Summer Ban on Marine Fishing in the South China Sea Maritime Space* (10 May 2012)

Announcement by the Fishery Bureau of Nanhai District Under the Ministry of Agriculture on the 2012 Summer Ban on Marine Fishing in the South China Sea Maritime Space

Source: the Fishery Bureau of Nanhai District under the Ministry of Agriculture
Issue Date: 10 May 2012

In order to protect and rationally utilize South China Sea fishery resources, promote the sustainable development of the South China Sea fishing industry, and protect the interests of numerous fishermen, and in accordance with the stipulations contained in the *Fisheries Law of the People's Republic of China*, the *Announcement by the Ministry of Agriculture on the Adjustment of the Summer Fishing Moratorium System* (Ministry of Agriculture Announcement [2009] No. 1) and the *Announcement by the Ministry of Agriculture on Adjusting the Time Period of Gill Net Fishing Moratorium* (Ministry of Agriculture Announcement [2012] No. 1), hereby announced are the relevant matters of the 2012 summer moratorium in the South China Sea area:

1. All productive activity types, except for using single-layer gill net and line-fishing equipment, shall be prohibited from 16 May 12:00 p.m. until 1 August 12:00 p.m. in the South China Sea areas from 12° north latitude up to the “Common Boundary Line of Fujian-Guangdong Sea Areas” (including the Gulf of Tonkin) under the jurisdiction of the People's Republic of China.

2. During the fishing moratorium, all fishing boats subject to the prohibition shall be moored at harbor with their nets folded without exception. No unit may supply oil or ice to, or purchase, distribute, freeze or store fish from the fishing boats subject to the fishing moratorium.

3. During the fishing moratorium, any fishing boat that holds Nansha Special Fishing Permits and goes to conduct fishing production in the sea areas of Nansha Islands south of 12° north latitude must strictly follow the reporting system in its entry and exit of sea ports, and any production activities in the sea area prohibited under the fishing moratorium.

4. Those who violate the fishing moratorium regulations by carrying out fishing activities shall have their fishing catch and any illegal gains derived therefrom confiscated and a fine of up to 50,000 yuan shall be imposed; if the circumstances are serious, their fishing equipment shall be confiscated and their fishing permit shall be revoked; if the circumstances are especially serious their fishing boat may be confiscated; if it constitutes a crime, their criminal responsibility shall be investigated according to law.

5. All levels of fishery administration departments, along with their affiliated Administration of Fishery and Fishing Harbor Supervision, shall, under the leadership of the local people's government, increase harbor and maritime inspection and supervision, and effectively carry out the work to keep safe the fishing boats subject to the fishing moratorium that are moored in the harbor.

It is hoped that all fishermen and all relevant units comply with these matters on their own initiative, and that all social organizations cooperate with and improve the supervision.

Report to:

Fishery Bureau of Nanhai District under the Ministry of Agriculture: 020-37199059

Guangdong Provincial Oceanic and Fishery Administration: 020-84412023

Aquatic Animal Husbandry and Veterinary Bureau of Guangxi Zhuang Autonomous Region:
0771-2808825, 13377110863

30 April 2012

Note: The “Common Boundary Line of Fujian-Guangdong Sea Areas” mentioned in this announcement refers to the connecting line between the boundary line of the sea areas under the administration of Fujian province and Guangdong Province and the far shore-sides of such boundary line (117°31’37.40”E, 23°09’42.60”N), and the Eluanbi Lighthouse on the southernmost point of Taiwan island (120°50’43”E, 21°54’15”N).

[...]

Note: The “Fujian-Guangdong maritime space common boundary line” named in this announcement refers to the administrative area boundary lines between the maritime space of Fujian province and Guangdong Province and the far shore-sides of these lines (117°31’37.40”E, 23°09’42.60”N), and the connecting lines with the Eluanbi Lighthouse on the southernmost point of Taiwan island (120°50’43”E, 21°54’15”N).

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本局概况

农业部南海区渔政局(对外称中华人民共和国南海区渔政局)是中央驻穗正厅级单位,直属农业部。本局前身为南海区渔业指挥部,成立于1974年4月,直属国务院、中央军委领导。1984年5月机构调整后,归属农牧渔业部,改称农牧渔业部南海区渔政分局,同时挂农牧渔业部南海区渔业指挥部牌子。1994年12月机构改革后,改为农业部南海区渔政渔港监督管理局,并保留农业部南海区....

[详细报道...](#)

主要职能

对内依照国家法律法规实施渔业执法管理,保护渔业资源及其水域环境,维护渔民合法权益,促进渔业可持续发展;对外代表中华人民共和国行使渔政渔港监督管理权,维护国家海洋与渔业权益。

(1) 参与研究并贯彻执行国家渔业发展的方针政策和法律法规,拟定区域性渔业资源保护及合理利用的措施、办法,并组织贯彻实施; (2) 负责组织、指导、协调辖区内渔政渔港管理工作,监督....

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- 3、机关党委(加挂纪检监察室牌子) 4、计划财务处 5、政策法规处(加挂行政复议办公室牌子) 6、渔政渔港监督管理处 7、信息处 8、资源环保处 9、南沙渔业处(加挂南沙渔政站牌子) 10、珠海渔政站 11、三亚渔政站 12、中国渔政南海总队 13、渔政船队
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农业部南海区渔政局关于2012年南海海域伏季休渔的通告

发布日期: 2012年5月10日 来源: 农业部南海区渔政局 作者:

农业部南海区渔政局

关于**2012**年南海海域伏季休渔的

通 告

为养护和合理利用南海渔业资源,促进南海渔业可持续发展,维护广大渔民利益,根据《中华人民共和国渔业法》、《农业部关于调整海洋伏季休渔制度的通告》(农业部通告[2009]1号)和《农业部关于调整刺网休渔时间的通告》(农业部通告[2012]1号)的规定,现就2012年南海海域伏季休渔有关事项通告如下:

一、从5月16日12时至8月1日12时止,在北纬12度至“闽粤海域交界线”的中华人民共和国管辖的南海海域(含北部湾),除单层刺网和钓具外,禁止其它作业类型生产。

二、休渔期间,所有禁止作业的渔船一律停港、封网。任何单位不得向休渔渔船供油、供冰,或收购、运销、代冻、储藏鱼货等。

三、休渔期间,持有南沙专项捕捞许可证前往北纬12度以南的南沙海域生产的渔船,必须严格执行渔船进出港报告制度,禁止在休渔海域生产。

四、凡违反休渔规定进行捕捞的,没收渔获物和违法所得,处五万元以下的罚款;情节严重的,没收渔具,吊销捕捞许可证;情节特别严重的,可以没收渔船;构成犯罪的,依法追究刑事责任。

五、各级渔业行政主管部门及其所属的渔政渔港监督管理机构应在当地人民政府领导下,加强港口和海上监督检查,做好停港休渔渔船的安全工作。

希望广大渔民和有关单位自觉遵守,社会各界支持配合、加强监督。

举报电话:

农业部南海区渔政局: 020-37199059

广东省海洋与渔业局: 020-84412023

广西壮族自治区水产畜牧兽医局: 0771-2808825, 13377110863

海南省海洋与渔业厅：0898-65320452，65227219

特此通告。

二〇一二年四月三十日

(注：本通告所称“闽粤海域交界线”是指福建省和广东省间海域管理区域界线以及该线远岸端(117°31'37.40"E, 23°09'42.60"N)与台湾岛南端鹅銮鼻灯塔(120°50'43"E, 21°54'15"N)连线。)

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Annex 119

Embassy of the People's Republic of China in the Republic of the Philippines, *China's Sovereignty over the Huangyan Island is Indisputable* (15 May 2012)



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China's Sovereignty over the Huangyan Island is Indisputable

(2012/05/15)

The China News Service conducted an interview with Mr. Wu Shicun, Dean of the National Institute for South China Sea Studies on 6 May. During the interview, Wu said that the Huangyan Island is China's inherent territory. China's sovereignty over the Huangyan Island is indisputable.

From China's Yuan Dynasty (1271-1368 AD), the Huangyan Island has been under the jurisdiction of successive Chinese governments which have effectively exercised and consolidated sovereignty over the island. This has been never been challenged but widely recognized by the international community for centuries. The Philippines' claim of sovereignty over the Huangyan Island is completely groundless.

The Huangyan Island consists a ring-shaped chain of reefs 0.5-3 meters above the water, encircling a lagoon that is 130 square kilometers broad and 10-20 meters deep. Situated in the important navigation route from Malacca Strait to Taiwan and Bashi Channel in the South China Sea, the Huangyan Island is geographically important and strategically crucial.

Wu Shicun said, according to historical archives, in 1279, Chinese astronomer Guo Shoujing was instructed by the royal court to perform a surveying of the seas around China, and the Huangyan Island was the point chosen by him to survey the South China Sea. This shows that China has discovered and started using the Island in Yuan Dynasty or even earlier. By that time though, indigenous people in the Philippines were still living in primitive tribes.

Wu said, the Huangyan Island and its adjacent waters are rich in fishing resources. Chinese fishermen have worked there for generations. The island is also a place used by the Chinese sailing in the South China Sea to rest and take shelter from the wind. The **Book on Voyage Routes** and other annuals contain a complete record of the sailing routes of Chinese fishermen in the Huangyan Island waters.

Since the Yuan Dynasty, the Chinese have never ceased their activities on the Huangyan Island and its waters to develop and exploit the island. This is a historical fact long been proved in official documents, local archives and maps of China in various historical periods.

In mid 1930s, the Map Verification Committee of China, consisted of members from government departments like the Ministry of Interior Affairs, Ministry of Foreign Affairs and Ministry of Education, declared sovereignty over 132 islands, reefs and shoals in the South China Sea, among which the Huangyan Island was included into the Chinese territory as part of the Zhongsha Islands.

In 1947, the Chinese government announced a name list of 172 South China Sea Islands, among which the Huangyan Island was named Democratic Reef and was included into the Zhongsha Islands. In 1948, the official map published by China about the South China Sea Islands, the Huangyan Island was put within the traditional maritime boundary of China in the South China Sea.

After the founding of the People's Republic of China, the Chinese government has issued statements and declarations about its sovereignty over the South China Sea Islands, which all made it clear that China owns the territorial sovereignty over the Huangyan Island. The Chinese

government has exercised and maintained territorial sovereignty and jurisdiction over the Huangyan Island, which has been under uninterrupted jurisdiction of Guangdong Province and Hainan Province.

In early 1980s, the Chinese government organized a survey of the names of the South China Sea islands, and in 1983, when the China Board on Geographic Names released the Geographic Names of Some of the South China Sea Islands, the Huangyan Island was stipulated the standard name and Democratic Reef the alternative one.

In the *Law on the Territorial Sea and Contiguous Zone of the People's Republic of China* published in 1992, the Article about territory stipulated that the Huangyan Island is China's territory, thus reaffirming the legal status of the island as part of China.

Wu Shicun stressed, China's sovereignty, sovereign rights and its related claims over the South China Sea have formed and developed in the long annuals of history and have always been upheld by Chinese governments.

China's determination to safeguard territorial sovereignty is firm and steadfast. For years, the Chinese maritime surveillance and fisheries administration ships have patrolled at the island regularly. This not only constitutes legal jurisdiction over the Huangyan Island and its adjacent waters, which are China's territory, but also manifestations of China's exercise of its sovereignty over the island.

(Posted on 6 May 2012 by China News at ECNS.cn.)

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Foreign Ministry Spokesperson LIU Weimin's Remarks on on Huangyan Island Incident and Regional Affairs(May 30-31) (2012-06-01)	
Foreign Ministry Spokesperson LIU Weimin's Remarks on on Huangyan Island Incident(May 28) (2012-05-29)	
Foreign Ministry Spokesperson Hong Lei's Remarks on on Huangyan Island Incident(May 25) (2012-05-28)	
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Foreign Ministry Spokesperson Hong Lei's Remarks on on Huangyan Island Incident(May 23) (2012-05-23)	
Foreign Ministry Spokesperson Hong Lei's Remarks on on Huangyan Island Incident(May 17-22) (2012-05-23)	

Annex 120

Embassy of the People's Republic of China in the Republic of the Philippines, *Ten Questions Regarding Huangyan Island* (15 June 2012)

Ten Questions Regarding Huangyan Island

1. Where is Huangyan Island?

Internationally known as Scarborough Shoal, Huangyan Island (once named *Minzhu Jiao* or *Democratic Reef*) is situated in the South China Sea at 15°07' N and 117°51' E and is a part of China's Zhongsha Islands. With reefs and rocks in a circle ring shape stretching about 55 kilometers in circumference, Huangyan Island has a lagoon with an area of about 130km² and a depth of 10 – 20 meters.

(Figure 1: Map of Islands in the South China Sea)

(Figure 2: An Aerial View of Huangyan Island)

2. When did China discover and name Huangyan Island?

China conducted astronomical and geographical surveys of the South China Sea, including Huangyan Island, in the 13th century during the Yuan Dynasty. It shows that China discovered and exploited Huangyan Island in the Yuan Dynasty, to say the least.

In 1935, the Lands and Waters Mapping Review Committee of the then Chinese government approved and publicized the geographical names of 132 islands, shoals, reefs and sand bars in the South China Sea, and Huangyan Island, with the name of Scarborough Shoal was included in the list as part of the Zhongsha Islands of the Chinese territory. In 1947, the Department of Territory of the Ministry of Internal Affairs of the Chinese government approved and publicized the geographical names of 172 islands in the South China Sea, including Huangyan Island which was then named Minzhu Jiao in Chinese as part of the Zhongsha Islands. In the early 1980s, the Chinese government conducted a survey on island names in the South China Sea. In 1983, China Committee on Geographical Names was authorized to publicize a list of geographic names of some South China Sea islands, which used Huangyan Island as the standard name of the island, with Minzhu Jiao as an alternative name.

(Figure 3: Issue No. 1 of the Journal of the Chinese Government's Land and Water Mapping Review Committee in 1935)

(Figure 4: In 1947, the Department of Territory of the Ministry of Internal Affairs of the Chinese government approved and publicized the geographical names of 172 islands in the South China Sea, including Huangyan Island which was then named Minzhu Jiao in Chinese as part of the Zhongsha Islands.)

3. How has China developed and exploited Huangyan Island?

Huangyan Island and its surrounding waters have been China's traditional fishing grounds since ancient times. Chinese fishermen have engaged in fishery activities for generations. In addition, they have used Huangyan Island as a safe haven in their voyage in the South China Sea. Genglubu, an ancient Chinese navigation log recording trips in the South China Sea, and other ancient documents and literature contain complete records of Chinese fishermen's activities around Huangyan Island. Since the Yuan Dynasty, the Chinese people have never stopped developing and exploiting Huangyan Island and its surrounding waters and the Chinese government has exercised effective management and jurisdiction over their activities all these years. These historical facts are supported by official documents, local chronicles and official maps in the past centuries.

(Figure 5: Chinese Fishing Boats around Huangyan Island)

(Figure 6: China's Ocean Expedition Team Conducting a Survey at Huangyan Island)

The Chinese government has also sent out scientific expedition teams to Huangyan Island on many occasions. For instance, scientists of South China Sea Institute of Oceanology of the Chinese Academy of Sciences landed on Huangyan Island for research activities in October 1977 and June 1978 respectively. The South China Sea Branch of the State Oceanic Administration organized a comprehensive survey on Huangyan Island in April 1985. The Chinese South China Sea Scientific Expedition Team stepped onto Huangyan Island for scientific research and erected a one-meter-high cement monument in 1994. The relevant department of the Chinese government approved the application by radio amateurs to embark on Huangyan Island for radio exploration activities in 1994, 1995, 1997 and 2007 respectively.

(Figure 7: In 1994, the Chinese and international radio amateurs used BS7H call sign to send out messages to the world from Huangyan Island for the first time. BS7H was a call sign internationally recognized for amateur radio communication from Huangyan Island. In this call sign, B refers to China's radio station, S refers to the islands in the South China Sea, 7 refers to the 7th zone of Chinese radio amateur, to which Hainan Province belongs, and H refers to Huangyan Island.)

4. How has China exercised effective jurisdiction of Huangyan Island?

Among the 132 islands, shoals, reefs and sand bars in the South China Sea in the list of geographical names approved and publicized by the Water and Land Mapping Review Committee of the Chinese government in 1935, Huangyan Island was listed as part of the Zhongsha Islands. The committee subsequently issued the Map of China's Islands in the South China Sea and included Huangyan Island into China's territory. The Internal Affairs Ministry of the Chinese government produced a Location Map of the South China Sea Islands in 1947, in which the geographical names of the Dongsha, Xisha, Zhongsha and Nansha islands were clearly marked, together with 172 islands, shoals, reefs and sand bars. Huangyan Island, then named Minzhu Jiao, was marked as part of the Zhongsha Islands. In 1948, this Location Map was officially publicized by the Internal Affairs Ministry of the Chinese government as an appendix to the Administrative Map of the Republic of China.

After the founding of the People's Republic of China in 1949, China has continued to exercise sovereignty over Huangyan Island. Chinese Foreign Minister Zhou Enlai, in his 1951 statement on the US and UK's draft peace treaty with Japan and the San Francisco Conference, explicitly stated the following: "The Xisha Islands and Nanwei Island, just like the Nansha, Zhongsha and Dongsha islands, have always been China's territory. Although they had been occupied by Japan for some time during the war of aggression waged by Japanese imperialists, they were all taken back by the then Chinese government following Japan's surrender." Therefore, Huangyan Island as part of the Zhongsha Islands indisputably belongs to China. China issued the Statement of the People's Republic of China on the Territorial Sea in 1958, in which China reaffirmed its sovereignty over the Dongsha, Xisha, Zhongsha and Nansha islands. In 1959, the Office for Xisha, Nansha and Zhongsha Islands' Affairs under the government of Guangdong Province, was opened by the Chinese government on the Yongxing Island, which is a part of the Xisha Islands. The office became a part of the government of the newly-established Hainan Province in 1988.

(Figure 8: The Office for Xisha, Nansha and Zhongsha Islands' Affairs on the Yongxing Island)

In the early 1980s, the Chinese government conducted a survey of the geographical names of the Nansha Islands. In 1983, the Committee on Geographical Names of China was authorized to publicize the geographical names of selected islands in the South China Sea, in which Huangyan Island was included as the standard name and Minzhu Jiao as its alternative name. The Law of the People's Republic of China on the Territorial Sea and the Contiguous Zone publicized in 1992 has explicitly provided in article 2 that "The land territory of the People's Republic of China

includes the mainland of the People's Republic of China and its coastal islands; Taiwan and all islands appertaining there to including the Diaoyu Islands; the Penghu Islands; the Dongsha Islands; the Xisha Islands; the Zhongsha Islands and the Nansha Islands; as well as all the other islands belonging to the People's Republic of China." Once again, China reaffirmed its sovereignty over the islands in the South China Sea, including Huangyan Island. It needs to be mentioned that not any country has ever opposed or disputed China's sovereignty over Huangyan Island.

(Figure 9: China's Marine Surveillance Vessel)

5. Why is Huangyan Island outside the territory of the Philippines?

Before 1997, the Philippines had never claimed sovereignty over Huangyan Island. In fact, the composition and scope of the Philippine territory was clearly determined by a series of international treaties. The "Treaty of Paris between Spain and the United States" in 1898, the "Treaty of Washington between Spain and the United States" in 1900 and the "Anglo-American Treaty" in 1930 had clearly defined that 118 degrees east longitude is the western limit of Philippine territory. The Huangyan Island is outside it. After the Second World War, the Philippines signed a series of treaties and agreements with the US, which have all reiterated the legal effect of the above-mentioned three treaties. The Act 3046 set by Philippines about its territorial sea baseline in 1961 and the amendment of the territorial sea baseline by Philippines in 1968 have both clearly reaffirmed that 118 degree east longitude is the western limit of the Philippine territory and Huangyan Island is not a base point of the Philippine territorial sea baseline.

(Figure 10: Official Map of the Philippines in 1990, with Huangyan Island lying outside the boundary of the Philippine Territory)

The official maps of the Philippines publicized respectively in 2006, 2008, 2009, 2010 and even 2011 have all marked Huangyan Island as outside the boundary of the Philippine territory.

(Figure 11: Official Map of the Philippines published in 2006, with Huangyan Island lying outside the boundary of the Philippine Territory)

(Figure 12: Political Map of the Philippines published in 2011, with Huangyan Island lying outside the boundary of the Philippine Territory)

The Philippines officially and explicitly stated that Huangyan Island did not belong to the Philippines. For instance, the former Philippine ambassador to Germany stated clearly in his letter to German radio amateurs on 5 February 1990 that "Huangyan Island is not within the territory of the Philippines according to the National Mapping and Resource Information Authority of the Philippines (NAMRIA)." Both the official document issued by NAMRIA dated 18 October 1994 and a document from the Philippine Amateur Radio Association to the *American Radio Relay League* dated on 18 November 1994 made it clear that "the territorial boundary and sovereignty of the Philippines were provided for in Article 3 of the Treaty of Paris between the US and Spain on 10 December 1898 with Huangyan Island outside the Philippine territory."

6. When did the Philippines place its claim over Huangyan Island?

Since May 1997, the Philippines has revealed its intention to occupy China's Huangyan Island. At that time, the Chinese Radio Sports Association organized a China-US-Japan radio expedition team to land on Huangyan Island for radio activities. During this period, the Philippines repeatedly dispatched warships and military aircrafts to track, monitor and harass these amateur radio activities. Two members of the Philippine House of Representatives blatantly boarded a naval vessel to land on Huangyan Island, where they erected flags and monuments, and blocked and intimidated the Chinese personnel. In 2009, the Philippines amended the Philippine Territorial Sea Baselines Act to include Huangyan Island into its territory. China has expressed its unequivocal opposition to these activities by the Philippines and has lodged solemn representations with the Philippine side.

7. Why do you say that the Philippine claim of the sovereignty over Huangyan Island does not hold water?

The Philippines' position on Huangyan Island has been inconsistent and self-contradictory and is absolutely groundless according to the international law.

a) Before the 1990s, the Philippines had never challenged China's sovereignty and jurisdiction over Huangyan Island.

b) In the late 1990s, the Philippines advanced its territorial claim over Huangyan Island on the ground of geographic proximity and on the excuse that Huangyan Island is located within the 200 nautical miles of the Philippine EEZ according to its one-sided interpretation of UNCLOS. However, the principle of geographic proximity does not provide the legal basis for territorial sovereignty while its EEZ-based claim violates the principle of international law that "the land dominates the sea", and it is also a misinterpretation and abuse of the UNCLOS.

c) After the Huangyan Island Incident in April 2012, the Philippines has given a new reason for its claim, saying that the Philippines has effectively occupied and managed Huangyan Island ever since its independence. But China has discovered, exploited, named and effectively administered Huangyan Island and has never stopped its effective jurisdiction over the island even since the 13th century, much earlier than the independence of the Philippines.

(Figure 13-14: the New Oxford Atlas, Oxford University Press)

8. Why do you think the Philippines violates international law by basing its territorial claim on the geographic proximity?

The Philippines claims sovereignty over Huangyan Island because it is closest to the Philippines. According to international judicial practice and international case law, the so-called "geographic proximity" does not constitute a basis for one country to occupy the territory of another country. In today's world, many countries have remote offshore territories, which are much closer to other countries than to their own. There are numerous cases in the world in which countries have owned offshore territories or islands that are far away from their own countries and closer to their neighboring countries. Therefore, geographic proximity cannot change the sovereignty of these territories or islands.

9. Why do you say that the Philippines' Exclusive Economic Zones (EEZs)-based claim of sovereignty over Huangyan Island represents a misinterpretation and abuse of United Nations Convention on the Law of the Sea (UNCLOS)?

The Philippines claims that since Huangyan Island is about 125 nautical miles away from its Luzon Island, thus within its EEZs, as the UNCLOS provides for 200 nautical miles EEZs, the Philippines has the sovereignty over Huangyan Island. Clearly, the Philippines here has misinterpreted and misapplied UNCLOS on the basis of its own interests, which is contrary to international law and to UNCLOS. It has been an established basic principle of international law that "the land dominates the sea". Coastal states derive their sovereign rights and jurisdiction over EEZs from their territorial sovereignty. UNCLOS does not have any provision to change a country's sovereignty over territorial land, let alone empowering any nation to extend its EEZs to include territories of other countries. Hence, UNCLOS can not serve as a basis for a country to claim sovereignty over China's Huangyan Island. In this context, ignoring the fact Huangyan Island has always belonged to China, the Philippines' EEZs-based territorial claim to the detriment of China's territorial sovereignty is not only a misinterpretation and abuse of UNCLOS, but also represents a violation of the fundamental principle of the inviolability of territorial sovereignty enshrined in the UN Charter.

10. What actually happened on Huangyan Island in April 2012?

When 12 fishing boats from Hainan, China were conducting normal operations in the Huangyan Island lagoon on the morning of April 10, the Philippine Navy warship Gregorio del Pilar blocked the entrance to the lagoon. The Philippine armed personnel boarded four Chinese fishing boats, questioned the Chinese fishermen, searched the boats and took photos. They were rude and rough, severely violated China's territorial sovereignty and the human rights of Chinese fishermen. On the afternoon of 10 April, upon learning of the incident, the Chinese marine

surveillance vessels No.84 and No.75, both performing routine patrol duty nearby, immediately headed to the Island to protect the safety of the Chinese fishermen. On the afternoon of 11 April, the Chinese fishery administration boat No.303 also arrived on the site and instructed the Chinese fishing boats and fishermen to evacuate safely and get rid of the Philippine intimidation. Afterwards, an archaeological ship of the Philippines stayed in the lagoon for illegal operation for a long time, and refused to leave the site until 18 April after China's repeated representations.

After the occurrence of Huangyan Island Incident, China has consistently adhered to its position of solving the issue through diplomatic consultation. However, the Philippines kept escalating the situation, made erroneous remarks to mislead the public at home and abroad and whip up hostile sentiments. All the above actions have severely damaged the bilateral relations. To prevent further provocation by the Philippines, the Chinese public service ships have continued to keep close watch over Huangyan Island waters, provide administrative and other service to Chinese fishing boats in accordance with China's laws, so as to ensure Chinese fishermen a good environment for operations in their traditional fishing grounds.

(From Website of National Institute for South China Sea Studies http://www.nanhai.org.cn/en/newspic_show.asp?lm=news&newsid=2547)

Annex 121

China National Offshore Oil Corporation, *Press Release: Notification of Part of Open Blocks in Waters under Jurisdiction of the People's Republic of China Available for Foreign Cooperation in the Year of 2012*
(23 June 2012)



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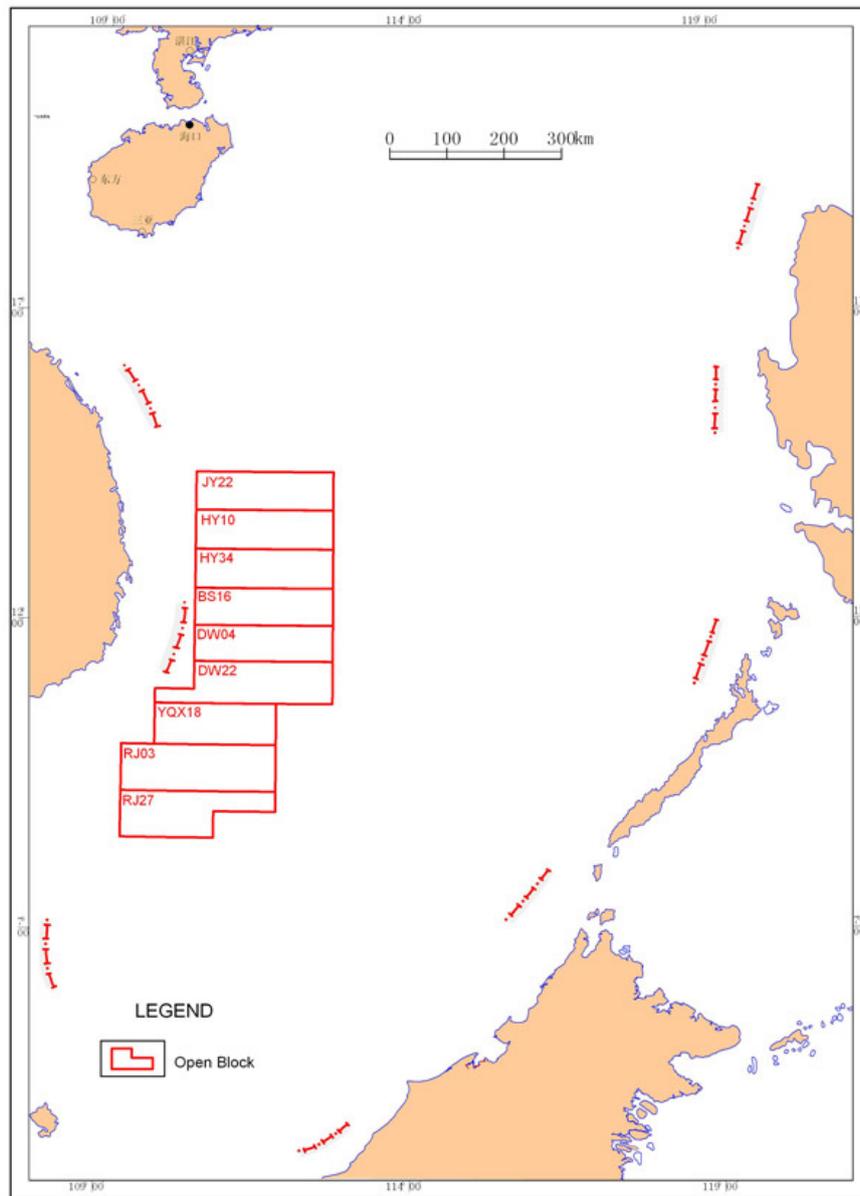


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Notification of Part of Open Blocks in Waters under Jurisdiction of the People's Republic of China Available for Foreign Cooperation in the Year of 2012





Attached Map of Locations for Part of Open Blocks in Waters under Jurisdiction of the People's Republic of China Available for Foreign Cooperation in the Year of 2012

Now, nine blocks covering an area of 160124.38km² are available for exploration and development cooperation between China National Offshore Oil Corporation ("CNOOC") and foreign companies.

1. Introduction of the open blocks

Please refer the locations of blocks to the attached map: Map of Locations for Part of Open Blocks in Waters under Jurisdiction of the People's Republic of China Available for Foreign Cooperation in the Year of 2012.

Please refer the coordinates of the blocks to the attached table: Coordinates for Part of Open Blocks in Waters under Jurisdiction of the People's Republic of China Available for Foreign Cooperation in the Year of 2012.

Block JY22

Block JY22 mostly lies in the north uplift and central depression of Zhongjiannan Basin, and the northeast of the Block lies in Zhongshaxinan Basin, with a water depth ranging from 1500m to 3000m and covering an area of 16638.64km².

Block HY10

Block HY10 mostly lies in the central depression and south uplift of Zhongjiannan Basin, with a water depth ranging from 2000m to 3000m and covering an area of 17134.19km².

Block HY34

Block HY34 mostly lies in the central depression and south uplift of Zhongjiannan Basin, with a water depth more than 2000m and covering an area of 17178.54km².

Block BS16

Block BS16 mostly lies in the south uplift of Zhongjiannan Basin, with a water depth more than 2000m and covering an area of 16313.48km².

Block DW04

Block DW04 mostly lies in the south uplift of Zhongjiannan Basin, with a water depth more than 2000m and covering an area of 15895.02km².

Block DW22

Block DW22 lies in the south uplift and south depression of Zhongjiannan Basin, with a water depth ranging from 300m to 4000m and covering an area of 20415.55km².

Block YQX18

Block YQX18 lies in the south depression and south uplift of Zhongjiannan Basin, with a water depth ranging from 300m to 4000m and covering an area of 15948.66km².

Block RJ03

Block RJ03 lies in the northeast part of Wan'an Basin and the north part of Nanweixi Basin, with a water depth ranging from 300m to 3000m and covering an area of 22857.8km².

Block RJ27

Block RJ27 lies in the northeast part of Wan'an Basin and the central part of Nanweixi Basin, with a water depth ranging from 300m to 2000m and covering an area of 17742.5km².

2. Introduction of Data Room

(1) Program of Data Viewing and Purchase

The data room will open from the date of the publication of the notification to the date of publication of blocks available for foreign cooperation for the next year. Foreign companies may have access to the data room and purchase data in accordance with the following procedure:

To apply for data viewing in written to Exploration Contact Person.

Exploration Contact Person will schedule the time for foreign companies to visit the data room and give the written notice to foreign companies of their respective schedule for data room visit and copy such notice to the principal of data room.

Upon receiving the above-mentioned notice from Exploration Contact Person, foreign companies may directly go to visit the data room in accordance with the relevant provisions of CNOOC at the scheduled time.

Foreign companies willing to purchase any data may contact with the principal of data room directly in accordance with the data acquisition rules of CNOOC.

(2) Location of Data Room and Contact Information

Exploration Contact Person: Mr. He Jiangqi
Tel:86-10-84526165
Fax:86-10-84526071
Email:hejq4@cnooc.com.cn
Exploration and Development Research Center Dataroom
It is located in Beijing, PRC, which has the data of all open blocks.

3. CNOOC's address and liaison person are as follows:

Mr. Zhao Liguo
General Council
China National Offshore Oil Corporation
CNOOC Tower
No. 25 Chaoyangmenbei Dajie, Dongcheng District, Beijing
The People's Republic of China
Postal Code: 100010
Tel : (86-10) 84521178
Fax : (86-10) 64013119
E-mail: zhaolg@cnooc.com.cn

Attached Coordinates for Part of Open Blocks in Waters under Jurisdiction of the People's Republic of China Available for Foreign Cooperation in the Year of 2012

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Coordinates for Part of Open Blocks in Waters under Jurisdiction of the People's Republic of China

Available for Foreign Cooperation in the Year of 2012

Coordinates of Block JY22, Area 16638.64km ²		
NO.	Longitude	Latitude
1	110° 30' 00"	14° 25' 00"
2	112° 45' 00"	14° 25' 00"
3	112° 45' 00"	13° 48' 00"
4	110° 30' 00"	13° 48' 00"

Coordinates of Block HY10, Area 17134.19km ²		
NO.	Longitude	Latitude
1	110° 30' 00"	13° 48' 00"
2	112° 45' 00"	13° 48' 00"
3	112° 45' 00"	13° 10' 00"
4	110° 30' 00"	13° 10' 00"

Coordinates of Block HY34, Area 17178.54km ²		
NO.	Longitude	Latitude
1	110° 30' 00"	13° 10' 00"
2	112° 45' 00"	13° 10' 00"
3	112° 45' 00"	12° 32' 00"
4	110° 30' 00"	12° 32' 00"

Coordinates of Block BS16, Area 16313.48km ²		
NO.	Longitude	Latitude
1	110° 30' 00"	12° 32' 00"
2	112° 45' 00"	12° 32' 00"
3	112° 45' 00"	11° 56' 00"
4	110° 30' 00"	11° 56' 00"

Coordinates of Block DW04, Area 15895.02km ²		
NO.	Longitude	Latitude
1	110° 30' 00"	11° 56' 00"
2	112° 45' 00"	11° 56' 00"
3	112° 45' 00"	11° 21' 00"
4	110° 30' 00"	11° 21' 00"

Coordinates of Block DW22, Area 20415.55km ²		
NO.	Longitude	Latitude
1	110° 30' 00"	11° 21' 00"
2	112° 45' 00"	11° 21' 00"
3	112° 45' 00"	10° 40' 00"
4	109° 52' 00"	10° 40' 00"
5	109° 52' 00"	10° 54' 00"
6	110° 30' 00"	10° 54' 00"

Coordinates of Block YQX18, Area 15948.66km ²		
NO.	Longitude	Latitude
1	109° 52' 00"	10° 40' 00"
2	111° 50' 00"	10° 40' 00"
3	111° 50' 00"	10° 00' 00"
4	109° 52' 00"	10° 00' 00"

Coordinates of Block RJ03, Area 22857.8km ²		
NO.	Longitude	Latitude
1	109° 20' 00"	10° 00' 00"
2	111° 50' 00"	10° 00' 00"
3	111° 50' 00"	09° 15' 00"
4	109° 20' 00"	09° 15' 00"

Coordinates of Block RJ27, Area 17742.5km ²		
NO.	Longitude	Latitude
1	109° 20' 00"	9° 15' 00"
2	111° 50' 00"	9° 15' 00"
3	111° 50' 00"	8° 55' 30"
4	110° 50' 00"	8° 55' 30"
5	110° 50' 00"	8° 30' 00"
6	109° 20' 00"	8° 30' 00"

Annex 122

People's Republic of China, China State Oceanic Administration, *China Marine Surveillance* (1 Dec. 2012)

China Marine Surveillance

Source: State Oceanic Administration

Issue date: 1 December 2012

[...]

The main functions of China Marine Surveillance:

Pursuant to relevant laws and requirements, the main functions of China Marine Surveillance are to conduct patrol and supervision in the territorial waters (including coastal areas) under the jurisdiction of China, investigate and handle illegal and illicit actions such as violations of oceanic rights, illegal usage of the territorial waters, damage of the oceanic environment and resources, sabotage to maritime equipment, and disturbance to order on the seas and to carry out other law enforcement work based on assignment or authorization. The main functions are:

(1) Formulate, organize, and implement plans and programs for law enforcement and supervision of the seas.

(2) Make plans for usage of China Marine Surveillance funds, supervise and manage the usage of funds.

(3) Build and manage the China Marine Surveillance personnel, formulate charters and systems for law enforcement and supervision work on the seas.

(4) Organize and coordinate law enforcement and supervision work in the territorial waters under the jurisdiction of China, release public reports and notices on oceanic law enforcement and supervision.

(5) Organize, when dealing with major maritime accidents, the emergency supervision, investigation and evidence collection and impose punishments according to laws.

(6) Establish and manage maritime monitoring network, manage maritime law enforcement and supervisory information.

(7) Establish and manage a technical support system for oceanic law enforcement and supervision, organize and formulate technical regulations and standards for oceanic law enforcement and supervision.

(8) Arrange qualification management and training work for maritime supervisory personnel and issue the maritime supervisor's certificates.

(9) Formulate, organize, and implement plans for the allocation and maintenance of China Marine Surveillance vessels and aircrafts as well as their equipment and material resources, supervise the work safety of China Marine Surveillance vessels and aircrafts. Manage the equipment and usage by the China Marine Surveillance personnel.

(10) Supervise and manage the pennant numbers of China Marine Surveillance vessels and aircrafts, as well as the apparel and logo usage by China Marine Surveillance personnel.

(11) Implement other matters assigned by the Oceanic Administration. [...]

2014年02月06日 星期四

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总队主要职责:

中国海监总队的主要职能是依照有关法律和规定, 对我国管辖海域(包括海岸带)实施巡航监视, 查处侵犯海洋权益、违法使用海域、损害海洋环境与资源、破坏海上设施、扰乱海上秩序等违法违规行为, 并根据委托或授权进行其他海上执法工作。其主要职责是:

- (一) 制定并组织实施海洋执法监察工作规划、计划。
- (二) 拟定中国海监经费使用计划, 监督管理业务经费使用。
- (三) 建设和管理中国海监队伍, 制定海洋执法监察工作的规章制度。
- (四) 组织协调我国管辖海域海洋执法监察工作, 发布海洋执法监察公报和通报。
- (五) 组织对海上重大事件的应急监视、调查取证, 并依法查处。
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- (七) 建设和管理海洋执法监察技术支持系统, 组织拟定海洋执法监察的技术规范、标准。
- (八) 承办海洋监察员资格管理和培训, 核发海洋监察员证书。
- (九) 拟定并组织实施中国海监船舶、飞机和设备及物资的配备、维护计划, 监督中国海监船舶、飞机的安全工作。管理海监队伍的配备和使用。
- (十) 监督管理中国海监船舶、飞机舷号和中国海监人员的着装、标识的使用。
- (十一) 承办海洋局交办的其他事项。

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Annex 123

People's Republic of China, Hainan Province, *Hainan Provincial Regulation on the Control of Coastal Border Security* (31 Dec. 2012)

**The Announcement of The Standing Committee of Hainan Provincial
People's Congress**

No. 108

The Hainan Provincial Regulation on the Control of Coastal Border Security was revised and approved by the 35th meeting of the Fourth Standing Committee of Hainan Provincial People's Congress on 27 November 2012. The revised *Hainan Provincial Regulation on the Control of Coastal Border Security* is hereby announced and becomes effective on 1 January 2013.

The Standing Committee of Hainan Provincial People's Congress

31 December 2012

**The Hainan Provincial Regulation
on The Control of Coastal Border Security**

Passed by the tenth meeting of the second Standing Committee of Hainan Provincial People's Congress on 26 November 1999 and revised by the 35th meeting of the Fourth Standing Committee of Hainan Provincial People's Congress on 27 November 2012.

Chapter 1 General Provisions

Article 1 In order to strengthen the control of the coastal border security, maintain the order of the coastal border security, protect the lawful rights and interests of citizens, judicial persons and other organizations, and promote the economic and social development in the coastal areas, this Regulation is formulated based on the actual circumstances in the Hainan Province and in accordance with relevant laws and administrative regulations, including the *Law of the People's Republic of China on the Penalties for Public Security Administration*.

Article 2 The Regulation is applicable to the border security control in the sea areas and coastal areas within the jurisdiction of the Hainan Province. If any matter is otherwise regulated by other laws or administrative regulations, such laws or administrative regulations shall apply to the matter.

[...]

Chapter 3 Administration of Sea Ships and People

[...]

Article 31 When entering the sea areas within the jurisdiction of the Hainan Province, all foreign ships and the people on the foreign ships shall obey the laws and regulations of the People's Republic of China, and shall not have the following actions that breach the control of coastal border security:

(1) Illegally stop or anchor when passing the sea areas under the jurisdiction of the Hainan Province, or take provocative acts;

(2) Enter or exit the border without inspection and approval, or change the entry or exit ports without approval;

(3) Illegally board any of the islands and reefs within the jurisdiction of the Hainan Province;

(4) Damage marine defense facilities or production and living facilities on the islands and reefs within the jurisdiction of the Hainan Province;

(5) Engage in propaganda activities that violate national sovereignty or endanger national security; or

(6) Conduct any other actions that breach the control of coastal border security as specified by other laws or regulations.

[...]

Chapter 5 Legal Responsibilities

Article 47 If a foreign ship and the people on the foreign ship have one of the following circumstances as specified in Article 31, the authorities of the public security border can legally take such measures as boarding the ship, conducting inspection, detention, deportation, or ordering to stop sailing, change the route or return the voyage. The involved ship or the auxiliary navigation equipment in the ship may be seized. Prosecution shall be conducted in accordance with relevant laws and regulations such as the *Law of the People's Republic of China on the Penalties for Public Security Administration* and the *Law of the People's Republic of China on the Control of Exit and Entry of the Border*.

[...]

Chapter 6 Supplementary Provisions

Article 51 The detailed implementation of this Regulation shall be interpreted by the People's Government of Hainan Province.

Article 52 The Regulation becomes effective on 1 January 2013.



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海南省地方法规

海南省沿海边防治安管理条例

暂时没有副标题

作者： 编辑：系统管理员 来源：省人大常委会 发布时间：2012-12-31 00:00:00

海南省人民代表大会常务委员会公告 第108号

《海南省沿海边防治安管理条例》已由海南省第四届人民代表大会常务委员会第三十五次会议于2012年11月27日修订通过，现将修订后的《海南省沿海边防治安管理条例》公布，自2013年1月1日起施行。

海南省人民代表大会常务委员会
2012年12月31日

海南省沿海边防治安管理条例

(1999年11月26日海南省第二届人民代表大会常务委员会第十次会议通过 2012年11月27日海南省第四届人民代表大会常务委员会第三十五次会议修订)

第一章 总 则

第一条 为加强沿海边防治安管理，维护沿海边防治安秩序，保障公民、法人和其他组织的合法权益，促进沿海地区经济社会发展，根据《中华人民共和国治安管理处罚法》等法律、行政法规，结合本省实际，制定本条例。

第二条 本条例适用于本省管辖海域、沿海地区范围内的边防治安管理。法律、行政法规另有规定的，从其规定。

第三条 边防治安管理工作坚持积极预防、依法管理、依靠群众、高效便民、教育与处罚相结合的原则。

第四条 省和沿海市、县（区）、自治县人民政府应当加强对沿海边防治安管理工作的领导，将沿海边防治安管理工作纳入社会管理综合治理范围，建立健全联防机制和安全防范制度，加强执法协调，及时研究解决工作中的重大问题。

省和沿海市、县（区）、自治县人民政府应当将公安边防机关公安业务经费列入财政预算，保障开展日常执法执勤工作，不断提高边防执法装备水平。

第五条 省公安边防机关主管本省沿海边防治安管理工作。

沿海市、县（区）、自治县公安边防机关、海上公安边防机关、口岸边防机关及公安边防派出所根据职责分工，负责沿海辖区的边防治安管理，维护辖区的边防治安秩序。

外事、海洋与渔业、交通运输、旅游、文物、海防与口岸、海事、海关等部门在各自职责范围内协助公安边防机关做好沿海边防治安管理工作。

公安边防机关与外事、海洋与渔业、交通运输、矿产、文物、海事、海关、检验检疫等主管部门应当建立执法联动工作机制，实行执法信息共享，依法打击违法犯罪活动，及时处置海上紧急事件，共同维护海上生产作业秩序和沿海边防治安秩序。

第六条 沿海一线地区（含岛屿）应当按照国家规定设置公安边防派出所，承担边境管理、治安管理和户籍管理等职责，具有同地方公安派出机构相同的权限。

公安边防机关应当加强三沙市公安边防派出所的建设，依法实行全线边防管理。

第七条 公安边防机关应当加强三沙市所属岛礁及其海域的治安巡逻，维护边防治安秩序；协同配合南海海上联合执法，维护国家主权，保护南海资源。

公安边防机关应当及时向在三沙市所属岛礁及其海域作业的人员通报治安动态，加强安全防范。

第八条 沿海村（居）民委员会应当协助人民政府和公安边防机关维护边防治安，支持船舶协会、渔民协会等群众性组织开展边防治安教育、服务、管理、维稳、救援等活动。

第二章 出海边防证件管理

第九条 出海船舶除依照规定向主管部门领取有关证件外，应当向船舶港或者船舶所在地公安边防机关申请办理船舶户籍注册，领取《出海船舶户口簿》。

第十条 年满十六周岁的未持有《中华人民共和国海员证》或者《船员服务簿》的人员出海作业的，应当向船舶港或者船舶所在地公安边防机关申领《出海船民证》。

第十一条 公安边防机关应当在其办证场所和部门网站上公示办理出海边防证件的依据、条件、程序、期限、需要提交的材料等；对申请材料不齐全的，应当一次告知申请人需要补正的全部内容。

公安边防机关应当自受理申请之日起三个工作日内办理完毕，对符合条件的，应当发放相关证件；能够当场办理的，应当当场办理；对不符合条件的，应

当说明理由，并书面告知当事人。

出海边防证件由市、县、自治县公安边防机关签发，必要时也可以委托公安边防派出所签发。

第十二条 出海船舶进行更新改造或者改变用途、买卖、转让、租借、报废、灭失的，应当在依法办理有关手续后十五个工作日内向原发证的公安边防机关申请办理出海边防证件变更或者注销手续。

出海船舶生产作业人员发生变更的，船舶所有人或者负责人应当在船舶出海前，向公安边防机关申请办理变更手续。

第十三条 三沙市公安边防机关可以接受原发证公安边防机关的委托，对在三沙市所属岛礁及其海域生产作业的出海船舶和人员，就近办理出海边防证件的变更、注销等手续。

第十四条 出海边防证件不得涂改、伪造、冒用、转借、买卖。

出海边防证件丢失或者损毁的，应当及时申请补办。

第十五条 申领出海边防证件人员有下列情形之一的，公安边防机关不予受理：

- （一）未满十六周岁的；
- （二）被判处刑罚尚未执行完毕或者属于刑事案件被告人、犯罪嫌疑人的；
- （三）有未了结的民事案件，人民法院决定不准出境的；
- （四）因走私、偷越国（边）境等违法行为被处理未满六个月的；
- （五）因走私、妨害国（边）境管理犯罪等行为被处理过，其刑罚执行完毕未满三年的；
- （六）被吊销出海边防证件未满六个月的；
- （七）其他依照国家有关规定不准出境、出海的人员。

已申领出海边防证件的人员在证件有效期内，出现前款情形之一的，公安边防机关应当依据职权阻止相关人员出海，并注销出海边防证件。

第三章 出海船舶和人员管理

第十六条 船舶及其船员出海，应当随船携带合法有效的出海边防证件，接受公安边防机关的检查和管理工作。

船员以外的人员出海，应当持居民身份证、护照、港澳台通行证等有效身份证件，接受公安边防机关检查和管理。

船舶及船主不得雇用无出海边防证件人员或者载运未持有有效身份证件人员出海。

L11144。

第十七条 未按照规定编刷船名、船号或者船名、船号模糊不清以及擅自拆换、遮盖、涂改、伪造船名、船号的船舶，禁止出海。

第十八条 船舶修造企业或者个人建造、改造、拆解出海船舶，应当在依法办理有关手续后五日内报所在地公安边防机关备案。

第十九条 船舶实行边防治安责任制。船长为本船舶边防治安负责人，负责本船舶边防治安责任制的实施。具备条件的，应当建立治安保卫组织或者确定治安保卫人员，协助维护边防治安。

第二十条 船舶在港口停靠，应当在规定的区域停泊、装卸货物和上下人员。沿海乡镇、村庄的船舶，应当在指定的位置集中停泊。

船舶在港、岸停泊期间，应当按照有关规定安排值班人员。

第二十一条 沿海船舶集中停泊的地方，可以设立群众性的船舶管理组织，负责船舶的看管和检查工作，协助公安边防机关维护港口、船舶边防治安秩序。

第二十二条 出海船舶进出港口、码头或者其他停泊点，除依法向有关主管部门办理进出港签证手续外，还应当向公安边防机关申请办理进出港边防签证手续，

接受检查。对邮轮、游艇以及近海作业渔船等船舶，可以减免边防签证手续，具体范围由省公安边防机关确定并向社会公布。

邮轮、游艇等船舶出境入境的，按照国家和本省有关规定办理出境入境查验手续。

第二十三条 邮轮、游艇出航前，游艇俱乐部或者邮轮、游艇所有人应当通过公安边防机关信息系统，以网络、传真等方式，将操作人员和乘员的名单及应急联系方式向当地公安边防机关报备。公安边防机关应当为邮轮、游艇出航提供便捷服务。

第二十四条 需在本省港、岸停泊的香港、澳门特别行政区以及台湾地区的船舶及其员工，应当按照国家有关规定在指定的停泊点停泊，并依法接受公安边防机关的检查管理，办理有关证件及手续。

未经有关部门批准，任何单位和个人不得将外国籍（含无国籍）和香港、澳门特别行政区以及台湾地区的船舶引航到非指定的或者未对上述船舶开放的港口、锚地停靠。

第二十五条 有下列情形之一的，省公安边防机关经商有关机关，可以设立海上治安警戒区域等沿海边防治安特别管理区域：

- （一）维护国家主权需要的；
- （二）保护南海资源需要的；

- (三) 重大活动、赛事等安保勤务需要的;
- (四) 保护重大违法犯罪行为现场需要的;
- (五) 其他法定情形。

公安边防机关设立海上治安警戒区域等沿海边防治安特别管理区域的,应当明确区域的范围、期限、管理措施等事项并予以公告。

第二十六条 船舶丢失、被盗、被劫持或者发生其他意外事故,船舶所有人或者负责人应当立即向事故发生地公安机关和出海边防证件申领地公安边防机关报告。

第二十七条 在本省管辖海域捡拾船舶、渔具、养殖物资等物品的,应当及时返还权利人;无法返还的,应当报告或者送交公安边防机关或者其他有关部门。公安边防机关或者其他有关部门应当及时查明权属,返还权利人;不能查明权属的,依法予以拍卖或者变卖,所得款项上缴国库。

任何船舶或者人员捡拾海上漂流的危害国家安全物品、毒品、淫秽物品、走私物品或者间谍用品等违禁品的,应当及时送交公安边防机关或者其他有关部门,不得私藏、留用或者擅自处理。

第二十八条 发生海事、渔事纠纷或者其他纠纷,各方应当协商解决或者报告有关部门依法处理,任何一方不得扣押他方人员、船舶或者其他财物,不得故意损毁他方船舶或者其他财物。

第二十九条 未经有关部门批准,出海船舶和人员不得进入国家禁止或者限制进入的海域、岛屿以及沿海边防治安特别管理区域;不得非法进入或者组织他人非法进入他国海域或者香港、澳门特别行政区海域及台湾地区实际控制海域;不得擅自搭靠外国籍(含无国籍)或者香港、澳门特别行政区以及台湾地区的船舶。

因紧急避险及其它不可抗力发生前款规定情形的,应当在原因消除后立即离开,并在抵港后向公安边防机关报告。

出海船舶和人员因紧急避险及其它不可抗力需要进入军事管理区的,应当服从军事机关的安排。军事机关应当提供必要的协助。

第三十条 任何船舶和人员在本省管辖海域和沿海地区不得有下列行为:

- (一) 贩运武器弹药、贩卖毒品、走私、非法出境入境;
- (二) 非法携带枪支弹药、管制器具以及爆炸、剧毒、放射性等管制物品;
- (三) 使用电击、毒害、爆炸以及其他可能危害公共安全的方式作业;

- (四) 损毁海底电缆、管道和海上航标、浮标等公共设施;
- (五) 盗窃和故意冲撞、损毁、占用他人船舶、网具或者其他生产生活设施;
- (六) 非法拦截、追逐、强行靠登他人船舶;
- (七) 强行收购、兜售、索要、交换渔获物或者其他物品;
- (八) 非法打捞或者买卖海底文物、沉船沉物;
- (九) 非法运输、储存、买卖成品油;
- (十) 其他违反法律、法规的行为。

第三十一条 外国船舶及其人员进入本省管辖海域，应当遵守国家法律、法规，不得有下列违反沿海边防治安管理的行为：

- (一) 通过本省管辖领海海域时非法停船或者下锚，寻衅滋事;
- (二) 未经查验准许擅自出境入境或者未经批准擅自改变出境入境口岸;
- (三) 非法登上本省管辖岛礁;
- (四) 破坏本省管辖岛礁上的海防设施或者生产生活设施;
- (五) 实施侵犯国家主权或者危害国家安全的宣传活动;
- (六) 其他法律、法规规定违反沿海边防治安管理的行为。

第四章 服务和监督

第三十二条 申请办理出海边防证件、船舶进出港边防签证、出航前备案等事项，可以通过信函、电报、电传、传真、电子数据交换和电子邮件等方式提出。

第三十三条 公安边防机关应当通过走访、海上报警服务平台以及其他方式，及时收集、掌握出海船舶和人员信息，加强动态服务和管理工作。

对在本省管辖海域发生的各类治安灾害事故，公安边防机关应当及时采取应急措施和提供帮助。

第三十四条 公安边防机关应当开展经常性的边防治安管理宣传活动，并利用伏季休渔等船舶归港时机，对出海人员集中进行相关法律知识教育。

乡镇人民政府和经营单位应当加强对船舶及出海人员管理，对出海人员进行政策、法制、安全、保密等方面的宣传教育。

第三十五条 公安边防机关工作人员在执行公务时，应当着制式服装，出示工作证件，文明执勤。

第三十六条 公安边防机关实施边防治安管理时，有权向有关单位和个人调查出海船舶和人员的有关情况，有关单位和个人应当如实提供相关资料及证明文件。

第三十七条 公安边防机关在执行公务时，发现出海船舶或者人员有违反海事管理、渔政管理、海关监管、检验检疫等违法行为的，应当先行予以制止，并通知或者移送有关部门依法处理。

第三十八条 任何单位和个人都应当遵守边防治安管理的各项规定，协助公安边防机关维护边防治安秩序，对违反本条例的行为有权予以制止或者向公安边防机关检举、报告。

对在协助公安边防机关维护边防治安秩序、打击违法犯罪活动中成绩显著或者有重大贡献的单位和个人，给予表彰、奖励。

第五章 法律责任

第三十九条 违反本条例规定，有下列情形之一的，由公安边防机关对船舶所有人或者负责人及其直接责任人员给予警告，可以处五百元以下罚款：

- （一）未随船携带出海边防证件的；
- （二）出海船舶生产作业人员发生变更未申请办理变更手续的；
- （三）出海船舶进出港口、码头或者其他停泊点，未办理进出港边防签证手续的；
- （四）出海船舶不在规定的区域和位置停泊、装卸货物和上下人员的。

第四十条 违反本条例规定，有下列情形之一的，由公安边防机关对船舶所有人或者负责人及其直接责任人员给予警告，可以处二百元以上一千元以下罚款：

- （一）出海生产作业人员未申领出海边防证件的；
- （二）涂改、伪造、冒用、转借、买卖出海边防证件的；
- （三）出海船舶未涂刷船名、船号，船名、船号模糊不清以及擅自拆换、遮盖、涂改、伪造船名、船号的；
- （四）邮轮、游艇出航未将操作人员和乘员的名单及应急联系方式报备的。

第四十一条 违反本条例规定，有下列情形之一的，由公安边防机关对船舶所有人或者负责人及其直接责任人员处一千元以上五千元以下罚款；情节严重的，处五千元以上一万元以下罚款：

- （一）出海船舶未按照规定申领出海边防证件的；
- （二）出海船舶进行更新改造或者改变用途、买卖、转让、租借、报废、灭失，未申请办理变更或者注销手续的。

第四十二条 违反本条例规定，有下列情形之一的，由公安边防机关对船舶所有人或者负责人及其直接责任人员处五百元以上五千元以下罚款；构成犯罪的，依

法律责任：

- (一) 雇用无出海口防证件人员或者载运未持有有效身份证件人员出海的；
- (二) 非法私藏、留用或者擅自处理海上漂流的违禁物品的。

第四十三条 船舶修造企业或者个人建造、改造、拆解船舶，未按照规定报公安边防机关备案的，由公安边防机关处一千元以上五千元以下罚款。

第四十四条 违反本条例规定，有下列情形之一的，由公安边防机关对船舶所有人或者负责人及其直接责任人员处一千元以上五千元以下罚款；造成严重后果的，处五千元以上一万元以下罚款，并吊销出海口防证件；构成犯罪的，依法追究刑事责任：

- (一) 擅自进入海上治安警戒区域等沿海边防治安特别管理区域的；
- (二) 非法进入或者组织他人非法进入他国海域或者香港、澳门特别行政区海域及台湾地区实际控制海域的；
- (三) 擅自搭靠外国籍（含无国籍）或者香港、澳门特别行政区以及台湾地区船舶的；
- (四) 因紧急避险及其它不可抗力的原因进入禁止或者限制进入的海域、岛屿及沿海边防治安特别管理区域或者搭靠外国籍（含无国籍）、香港及澳门特别行政区、台湾地区船舶，未向公安边防机关报告的；
- (五) 将外国籍（含无国籍）、香港及澳门特别行政区、台湾地区的船舶引航到非指定或者未对上述船舶开放的港口、锚地停靠的。

第四十五条 在本省管辖海域航行、作业、停泊或者从事其他活动的无船名船号、无船舶证书、无船籍港的船舶，由公安边防机关或者法律法规规定的其他有关部门责令船主限期办理有关证件，并处五千元以上二万元以下罚款；逾期仍未办理或者拒不办理的，没收船舶，并可处船价二倍以下的罚款。

第四十六条 公安边防机关查获违反本条例规定运输、储存、买卖无合法、齐全手续成品油的，对成品油予以没收；有违法所得的，没收违法所得。

查获的走私成品油案件，应当按照有关规定处理。

第四十七条 外国船舶及其人员有本条例第三十一条规定情形之一的，公安边防机关可以依法采取登临，检查，扣押，驱逐，令其停航、改航、返航等措施予以处置，可以收缴作案船舶或者附属通航设备等工具，并依照《中华人民共和国治安管理处罚法》、《中华人民共和国出境入境管理法》等有关法律、法规追究其法律责任。

第四十八条 公安边防机关办理边防治安案件，为制止违法行为、防止证据损毁、避免危害发生、控制危险扩大等情形，经县级以上公安边防机关负责人批

准，可以暂扣涉案船舶或者附属通航设备。

第四十九条 公安边防机关及其工作人员滥用职权、玩忽职守、徇私舞弊的,由有权机关对直接负责的主管人员和其他直接责任人员依法给予处分; 构成犯罪的,依法追究刑事责任。

第五十条 违反本条例规定的行为,本条例未设定处罚而法律、法规另有处罚规定的,从其规定。

第六章 附 则

第五十一条 本条例的具体应用问题由省人民政府负责解释。

第五十二条 本条例自2013年1月1日起施行。

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Annex 124

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on February 19, 2013* (20 Feb. 2013)



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Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on February 19, 2013

2013/02/20

Foreign Ministry Spokesperson Hong Lei held a press conference on February 19, 2013.

Hong Lei started the press conference with the following announcement:

Liu Yandong, member of the Political Bureau of the CPC Central Committee and State Councilor, will be in the ROK for the inauguration ceremony of the ROK's new President Park Geun-hye from February 23 to 26 as the Special Representative of President Hu Jintao and General Secretary Xi Jinping.

Q: It is reported that the agreement of transferring the management of Pakistan's Gwadar port to a Chinese company was officially signed in Pakistan on February 18. Comments say that the Gwadar port is an important fulcrum for China to secure energy and develop maritime routes and is of profound strategic significance. What is China's comment?

A: China and Pakistan are friendly neighbours. Chinese companies have long been actively participating in Pakistan's constructions in all fields. As a commercial project in China-Pakistan economic and trade cooperation, the Chinese company's takeover of the management of the Gwadar port is part of the mutually beneficial and friendly cooperation between the two countries. China-Pakistan cooperation not only serves the interests of the two countries and peoples, but is also conducive to regional stability and development.

Q: It is learnt that China has returned the Philippines' note regarding bringing the South China Sea dispute between the two countries to international arbitration. Please confirm.

A: China's position on the South China Sea issue is clear and consistent. China's sovereignty over the Nansha Islands and their adjacent waters is based on sufficient historical and jurisprudential evidence. Meanwhile, bearing in mind the larger interests of China-Philippines relations and regional peace and stability, China has always been committed to solving disputes through bilateral negotiations and has made unremitting efforts to safeguard stability in the South China Sea and promote regional cooperation. It is also the consensus reached by ASEAN countries and China in the *Declaration on the Conduct of Parties in the South China Sea* (DOC) to resolve disputes through negotiations between directly concerned sovereign states. The Philippines' note and its attached notice not only violate the consensus, but also contain serious errors in fact and law as well as false accusations against China, which we firmly oppose.

Chinese Ambassador to the Philippines Ma Keqing called a meeting with officials of the Philippine Foreign Ministry today, made clear that China refused to accept the note and its attached notice and returned them.

China hopes that the Philippines would honor its commitments, refrain from taking actions that may complicate and aggravate the issue, and make positive response to China's proposals of establishing a consultation mechanism on bilateral maritime issues and resuming the mechanism on confidence-building measures so as to return to the right track of resolving disputes through bilateral negotiations.

Q: The US cyber security company MANDIANT yesterday released a report saying that Chinese military-backed hackers repeatedly attacked US websites. What is China's comment?

A: Cyber attack is a global problem that should be resolved through constructive international cooperation based on mutual trust and respect. It is neither professional nor responsible to make groundless speculations and accusations on hacker attacks for various purposes, which does not help solve the problem.

The Chinese government has always firmly opposed to and combatted cyber attacks in accordance with the law. In fact, China is one of the main victims of cyber attacks. Cyber attacks and crimes against China are on the fast rise year by year. According to a report by the National Computer Network Emergency Response Technical Team Coordination Center of China (CNCERT), in 2012, 73,000 overseas IP addresses were involved in the control of more than 14 million hosts in China as Trojan or Botnet command and control servers while 32,000 IP addresses conducted remote control over nearly 38,000 websites in China through backdoor implantation. The US ranked the first among the origins of the above cyber attacks,

To promote the settlement of the cyber security problem, China, Russia and some other countries jointly submitted a draft of *International Code of Conduct for Information Security* to the UN in September 2011. China calls on the international community to formulate a code of conduct of responsible countries for cyber security on the basis of the draft and jointly build a peaceful, secure, open and cooperative cyberspace to safeguard the common interests of the international community.

Q: The UN High Commissioner for Human Rights Navi Pillay recently said that Syrian President Bashar al-Assad should be investigated for crimes against humanity and war crimes. What is China's comment?

A: We believe that political resolution is the only practical way out for the Syrian issue. Relevant parties should build up consensus on the basis of the communiqué of the Geneva foreign ministers' meeting of the Action Group and push for an early, fair, peaceful and appropriate settlement of the Syrian issue. Words and deeds of relevant international organizations and personnel should be conducive to the realization of this goal instead of further complicating the issue.

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Foreign Ministry Spokesperson Hong Lei's Remarks on Reports about Former US Official's Comment on the Diaoyu Islands Issue

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Annex 125

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on February 20, 2013* (21 Feb. 2013)

Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on February 20, 2013

Foreign Ministry Spokesperson Hong Lei held a press conference on February 20, 2013.

Hong Lei started the press conference with the following announcement:

At the invitation of the government of Sierra Leone, Minister Jiang Weixin of Housing and Urban-Rural Development will attend the inauguration ceremony of President Ernest Bai Koroma in Freetown on February 22 as the Special Representative of President Hu Jintao.

Q: Philippine Foreign Ministry issued a statement yesterday, saying that it would push forward the arbitration process against China on the South China Sea dispute between the two countries. What is your comment?

A: Both the Philippines and China are signatories to the Declaration on the Conduct of Parties in South China Sea (DOC) and have made commitments on comprehensive and earnest implementation of the DOC. We disapprove of the Philippine Foreign Ministry's practice of bringing international arbitration and have made clear our opposition stance.

China maintains that the dialogue framework supported by most countries in the region should be upheld. We will continue to make efforts to maintain peace and stability in the South China Sea and unswervingly safeguard national sovereignty and interests.

Q: Does China keep communication with the US on the issue of hacker attack?

A: China and the US have maintained communication on relevant issue. As I said yesterday, cyber attack is a global problem and should be resolved through constructive international cooperation on the basis of mutual trust and respect. It is neither professional nor responsible to make groundless speculations and accusations on hacker attacks for various purposes, which does not help solve the problem. The Chinese government has always firmly opposed to and combatted cyber attacks in accordance with the law. China is one of the main victims of cyber attacks. As far as we know, cyber attacks against China mainly originate from the US. China, Russia and some other countries jointly submitted a draft of International Code of Conduct for Information Security to the UN in September 2011. China calls on the international community to formulate a code of conduct of responsible countries for cyber security on the basis of the draft and jointly build a peaceful, secure, open and cooperative cyberspace to safeguard the common interests of the international community.

Annex 126

People's Republic of China, *Plan for the Institutional Restructuring and Functional Transformation of the State Council* (14 Mar. 2013)

Plan for the Institutional Restructuring and Functional Transformation of the State Council

Source: National People's Congress of China Web www.npc.gov.cn

Date: 15 March 2013

[...]

Regarding Institutional Restructuring of the State Council

In this instance of institutional restructuring of the State Council, the focus is on the transformation of its functions and clarifying the relationships among duties, to stably promote reform of the large-department system, implement the separation of administration and enterprise of railroads, integrate and strengthen institutions in public health and birth control, food and drugs, news publication and broadcast of films and television, maritime affairs, and energy management.

[...]

(5) Restructure the State Oceanic Administration. In order to promote uniform legal enforcement on the seas and elevate legal enforcement efficacy, the squadrons and duties of the State Oceanic Administration and its China Marine Surveillance, China Coast Guard, China Fishery Administration of the Ministry of Agriculture, the ocean patrol police in the General Administration of Customs shall be integrated, to reform the State Oceanic Administration, which shall be managed by the Ministry of Land and Resources. The main duties are to make rules governing marine development, implement law enforcement and the protection of rights on the sea, supervise and manage the usage of territorial waters, and marine environmental protection. In the name of the China Coast Guard, the State Oceanic Administration shall develop law enforcement and the protection of rights on the sea and shall accept guidance for affairs from the Ministry of Public Security.

In order to enhance the integrated planning and composite coordination of maritime affairs, the State Oceanic Commission shall be established as a high-level procedural and coordinating organ, which shall be responsible for researching and establishing state maritime developmental strategies and for integrating and coordinating important affairs relating to the sea. The specific work of the State Oceanic Commission shall be borne by the State Oceanic Administration.

[...]

[中文版] [English]

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新闻

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2014年2月6日 星期四 天气

国务院机构改革和职能转变方案

中国人大网 www.npc.gov.cn 日期: 2013-03-15 浏览字号: 大 中 小 打印本页 关闭窗口

根据党的十八大和十八届二中全会精神,深化国务院机构改革和职能转变,要高举中国特色社会主义伟大旗帜,以邓小平理论、“三个代表”重要思想、科学发展观为指导,按照建立中国特色社会主义行政体制目标的要求,以职能转变为核心,继续简政放权、推进机构改革、完善制度机制、提高行政效能,加快完善社会主义市场经济体制,为全面建成小康社会提供制度保障。

关于国务院机构改革

这次国务院机构改革,重点围绕转变职能和理顺职责关系,稳步推进大部门制改革,实行铁路政企分开,整合加强卫生和计划生育、食品药品、新闻出版和广播电影电视、海洋、能源管理机构。

(一) 实行铁路政企分开。为推动铁路建设和运营健康可持续发展,保障铁路运营秩序和安全,促进各种交通运输方式相互衔接,实行铁路政企分开,完善综合交通运输体系。将铁道部拟订铁路发展规划和政策的行政职责划入交通运输部。交通运输部统筹规划铁路、公路、水路、民航发展,加快推进综合交通运输体系建设。组建国家铁路局,由交通运输部管理,承担铁道部的其他行政职责,负责拟订铁路技术标准,监督管理铁路安全生产、运输服务质量 and 铁路工程质量等。组建中国铁路总公司,承担铁道部的企业职责,负责铁路运输统一调度指挥,经营铁路客货运输业务,承担专运、特运任务,负责铁路建设,承担铁路安全生产主体责任等。

国家继续支持铁路建设发展,加快推进铁路投融资体制改革和运价改革,建立健全规范的公益性线路和运输补贴机制,继续深化铁路企业改革。

不再保留铁道部。

(二) 组建国家卫生和计划生育委员会。为更好地坚持计划生育的基本国策,加强医疗卫生工作,深化医药卫生体制改革,优化配置医疗卫生和计划生育服务资源,提高出生人口素质和人民健康水平,将卫生部的职责、国家人口和计划生育委员会的计划生育管理和服务职责整合,组建国家卫生和计划生育委员会。主要职责是,统筹规划医疗卫生和计划生育服务资源配置,组织制定国家基本药物制度,拟订计划生育政策,监督管理公共卫生和医疗服务,负责计划生育管理和服务工作等。

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- 国务院关于“十二五”规划《纲要》实施中期...
- 专题询问农村扶贫开发工作情况
- 中国全国人大西藏代表团访问西班牙、法国
- 专题询问: 财政科技资金分配与使用情况

将国家人口和计划生育委员会的研究拟订人口发展战略、规划及人口政策职责划入国家发展和改革委员会。

国家中医药管理局由国家卫生和计划生育委员会管理。

不再保留卫生部、国家人口和计划生育委员会。

(三) 组建国家食品药品监督管理总局。为加强食品药品监督管理,提高食品药品安全质量水平,将国务院食品安全委员会办公室的职责、国家食品药品监督管理局的职责、国家质量监督检验检疫总局的生产环节食品安全监督管理职责、国家工商行政管理总局的流通环节食品安全监督管理职责整合,组建国家食品药品监督管理总局。主要职责是,对生产、流通、消费环节的食品安全和药品的安全性、有效性实施统一监督管理等。将工商行政管理、质量技术监督部门相应的食品安全监督管理队伍和检验检测机构划转食品药品监督管理部门。

保留国务院食品安全委员会,具体工作由国家食品药品监督管理总局承担。国家食品药品监督管理总局加挂国务院食品安全委员会办公室牌子。

新组建的国家卫生和计划生育委员会负责食品安全风险评估和食品安全标准制定。农业部负责农产品质量安全监督管理。将商务部的生猪定点屠宰监督管理职责划入农业部。

不再保留国家食品药品监督管理局和单设的国务院食品安全委员会办公室。

(四) 组建国家新闻出版广电总局。为进一步推进文化体制改革,统筹新闻出版广播影视资源,将国家新闻出版总署、国家广播电影电视总局的职责整合,组建国家新闻出版广电总局。主要职责是,统筹规划新闻出版广播电影电视事业产业发展,监督管理新闻出版广播影视机构和业务以及出版物、广播影视节目的内容和质量,负责著作权管理等。国家新闻出版广电总局加挂国家版权局牌子。

不再保留国家广播电影电视总局、国家新闻出版总署。

(五) 重新组建国家海洋局。为推进海上统一执法,提高执法效能,将现国家海洋局及其中国海监、公安部边防海警、农业部中国渔政、海关总署海上缉私警察的队伍和职责整合,重新组建国家海洋局,由国土资源部管理。主要职责是,拟订海洋发展规划,实施海上维权执法,监督管理海域使用、海洋环境保护等。国家海洋局以中国海警局名义开展海上维权执法,接受公安部业务指导。

为加强海洋事务的统筹规划和综合协调,设立高层次议事协调机构国家海洋委员会,负责研究制定国家海洋发展战略,统筹协调海洋重大事项。国家海洋委员会的具体工作由国家海洋局承担。

(六) 重新组建国家能源局。为统筹推进能源发展和改革,加强能源监督管理,将现国家能源局、国家电力监管委员会的职责整合,重新组建国家能源局,由国家发展和改革委员会管理。主要职责是,拟订并组织实施能源发展战略、规划和政策,研究提出能源体制改革建议,负责能源监督管理等。

不再保留国家电力监管委员会。

这次改革，国务院正部级机构减少4个，其中组成部门减少2个，副部级机构增减相抵数量不变。改革后，除国务院办公厅外，国务院设置组成部门25个：

1. 中华人民共和国外交部
2. 中华人民共和国国防部
3. 中华人民共和国国家发展和改革委员会
4. 中华人民共和国教育部
5. 中华人民共和国科学技术部
6. 中华人民共和国工业和信息化部
7. 中华人民共和国国家民族事务委员会
8. 中华人民共和国公安部
9. 中华人民共和国国家安全部
10. 中华人民共和国监察部
11. 中华人民共和国民政部
12. 中华人民共和国司法部
13. 中华人民共和国财政部
14. 中华人民共和国人力资源和社会保障部
15. 中华人民共和国国土资源部
16. 中华人民共和国环境保护部
17. 中华人民共和国住房和城乡建设部
18. 中华人民共和国交通运输部
19. 中华人民共和国水利部
20. 中华人民共和国农业部
21. 中华人民共和国商务部
22. 中华人民共和国文化部
23. 中华人民共和国国家卫生和计划生育委员会

24. 中国人民银行

25. 中华人民共和国审计署

根据国务院组织法规定，国务院组成部门的调整和设置，由全国人民代表大会审议批准。国务院其他机构的调整和设置，将由新组成的国务院审查批准。

关于国务院机构职能转变

政府职能转变是深化行政体制改革的核心。转变国务院机构职能，必须处理好政府与市场、政府与社会、中央与地方的关系，深化行政审批制度改革，减少微观事务管理，该取消的取消、该下放的下放、该整合的整合，以充分发挥市场在资源配置中的基础性作用、更好发挥社会力量在管理社会事务中的作用、充分发挥中央和地方两个积极性，同时该加强的加强，改善和加强宏观管理，注重完善制度机制，加快形成权责清晰、分工合理、权责一致、运转高效、法治保障的国务院机构职能体系，真正做到该管的管住管好，不该管的不管不干预，切实提高政府管理科学化水平。

（一）减少和下放投资审批事项。除涉及国家安全、公共安全等重大项目外，按照“谁投资、谁决策、谁收益、谁承担风险”的原则，最大限度地缩小审批、核准、备案范围，切实落实企业和个人投资自主权。抓紧修订政府核准投资项目目录。对确需审批、核准、备案的项目，要简化程序、限时办结。

对已列入国家有关规划需要审批的项目，除涉及其他地区、需要全国统筹安排或需要总量控制的项目以及需要实行国家安全审查的外资项目外，在按行政审批制度改革原则减少审批后，一律由地方政府审批。对国家采用补助、贴息等方式扶持地方的点多、面广、量大、单项资金少的项目，国务院部门确定投资方向、原则和标准，具体由地方政府安排，相应加强对地方政府使用扶持资金的监督检查。

加强对投资活动的土地使用、能源消耗、污染排放等管理，发挥法律法规、发展规划、产业政策的约束和引导作用。

（二）减少和下放生产经营活动审批事项。按照市场主体能够自主决定、市场机制能够有效调节、行业组织能够自律管理、行政机关采用事后监督能够解决的事项不设立审批的原则，最大限度地减少对生产经营活动和产品物品的许可，最大限度地减少对各类机构及其活动的认定等非许可审批。

依法需要实施的生产经营活动审批，凡直接面向基层、量大面广或由地方实施更方便有效的，一律下放地方。

（三）减少资质资格许可和认定。除依照行政许可法要求具备特殊信誉、特殊条件或特殊技能的职业、行业需要设立的资质资格许可外，其他资质资格许可一律予以取消。按规定需要对企事业单位和个人进行水平评价的，国务院部门依法制定职业标准或评价规范，由有关行业协会、学会具体认定。

除法律、行政法规或国务院有明确规定的外，其他达标、评比、评估和相关检查活动一律予以取消。

(四) 减少专项转移支付和收费。完善财政转移支付制度,大幅度减少、合并中央对地方专项转移支付项目,增加一般性转移支付规模和比例。将适合地方管理的专项转移支付项目审批和资金分配工作下放地方政府,相应加强财政、审计监督。

取消不合法不合理的行政事业性收费和政府性基金项目,降低收费标准。建立健全政府非税收入管理制度。

(五) 减少部门职责交叉和分散。最大限度地整合分散在国务院不同部门相同或相似的职责,理顺部门职责关系。房屋登记、林地登记、草原登记、土地登记的职责,城镇职工基本医疗保险、城镇居民基本医疗保险、新型农村合作医疗的职责等,分别整合由一个部门承担。

整合工程建设项目招标投标、土地使用权和矿业权出让、国有产权交易、政府采购等平台,建立统一规范的公共资源交易平台,有关部门在职责范围内加强监督管理。整合业务相同或相近的检验、检测、认证机构。推动建立统一的信用信息平台,逐步纳入金融、工商登记、税收缴纳、社保缴费、交通违章等信用信息。

(六) 改革工商登记制度。对按照法律、行政法规和国务院决定需要取得前置许可的事项,除涉及国家安全、公民生命财产安全等外,不再实行先主管部门审批、再工商登记的制度,商事主体向工商部门申请登记,取得营业执照后即可从事一般生产经营活动;对从事需要许可的生产经营活动,持营业执照和有关材料向主管部门申请许可。将注册资本实缴登记制改为认缴登记制,并放宽工商登记其他条件。

推进商务诚信建设,加强对市场主体、市场活动监督管理,落实监管责任,切实维护市场秩序。

(七) 改革社会组织管理制度。加快形成政社分开、权责明确、依法自主的现代社会组织体制。逐步推进行业协会商会与行政机关脱钩,强化行业自律,使其真正成为提供服务、反映诉求、规范行为的主体。探索一业多会,引入竞争机制。

重点培育、优先发展行业协会商会类、科技类、公益慈善类、城乡社区服务类社会组织。成立这些社会组织,直接向民政部门依法申请登记,不再需要业务主管单位审查同意。民政部门要依法加强登记审查和监督管理,切实履行责任。

坚持积极引导发展、严格依法管理的原则,促进社会组织健康有序发展。完善相关法律法规,建立健全统一登记、各司其职、协调配合、分级负责、依法监管的社会组织管理体制,健全社会组织管理制度,推动社会组织完善内部治理结构。

(八) 改善和加强宏观管理。强化发展规划制订、经济发展趋势研判、制度机制设计、全局性事项统筹管理、体制改革统筹协调等职能。完善宏观调控体系,强化宏观调控措施的权威性和有效性,维护法制统一、政令畅通。消除地区封锁,打破行业垄断,维护全国市场的统一开放、公平诚信、竞争有序。加强社会管理能力建设,创新社会管理方式。公平对待社会力量提供医疗卫生、教育、文化、群众健身、社区服务等公共服务,加大政府购买服务力度。国务院各部门必须加强自身改革,大力推进本系统改革。

(九) 加强基础性制度建设。推进国务院组织机构、职能配置、运行方式法治化。加强政务诚信制度建设。建立以公民身份证号码和组织机构代码为基础的统一社会信用代码制度。建立不动产统一登记制度。加强技术标准体系建设。完善信息网络、金融账户等实名登记制度和现金管理制度。完善各类国有资产管理体制和体制。

(十) 加强依法行政。加快法治政府建设。完善依法行政的制度，提高制度质量。健全科学民主依法决策机制，建立决策后评估和纠错制度。严格依照法定权限和程序履行职责，确保法律、行政法规有效执行。深化政务公开，推进行政权力行使依据、过程、结果公开。建立健全各项监督制度，让人民监督权力。强化行政问责，严格责任追究。

宪法和法律是政府工作的根本准则。国务院和国务院各部门都要带头维护宪法法律权威，发挥法律的引导和推动作用，用法治思维和法治方式深化改革、推动发展、化解矛盾、维护稳定。以政府带头守法、严格执法，引导、教育、督促公民、法人和其他组织依法经营依法办事。

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Annex 127

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hua Chunying's Remarks on the Philippines' Efforts in Pushing for the Establishment of the Arbitral Tribunal in Relation to the Disputes between China and the Philippines in the South China Sea* (26 Apr. 2013)



[HOME](#) > [Press and Media Service](#) > [Spokesperson's Remarks](#)

Foreign Ministry Spokesperson Hua Chunying's Remarks on the Philippines' Efforts in Pushing for the Establishment of the Arbitral Tribunal in Relation to the Disputes between China and the Philippines in the South China Sea

2013/04/26

Q: At the request of the Philippines, an arbitral tribunal on the South China Sea disputes between China and the Philippines has been composed recently. What is China's comment on this?

A: On 22 January 2013, the Philippines sent China a note verbale, attached with a notification, to initiate arbitration proceedings against China regarding issues of the South China Sea. On 19 February, China stated its rejection of the request for arbitration by the Philippines and returned the latter's note verbale and the attached notification. The position of China, as indicated above, will not change.

Since the 1970s, the Philippines, in violation of the Charter of the United Nations and principles of international law, illegally occupied some islands and reefs of China's Nansha Islands, including Mahuan Dao, Feixin Dao, Zhongye Dao, Nanyao Dao, Beizi Dao, Xiyue Dao, Shuanghuang Shazhou and Siling Jiao. Firmly and consistently opposed to the illegal occupation by the Philippines, China hereby solemnly reiterates its demand that the Philippines withdraw all its nationals and facilities from China's islands and reefs.

The Philippines professed in the notification of 22 January 2013 that it "does not seek...a determination of which Party enjoys sovereignty over the islands claimed by both of them." On 22 January, however, the Philippines publicly stated that the purpose for initiating the arbitration was to bring to "a durable solution" the Philippines-China disputes in the South China Sea. These statements are simply self-contradictory. In addition, by initiating the arbitration on the basis of its illegal occupation of China's islands and reefs, the Philippines has distorted the basic facts underlying the disputes between China and the Philippines. In so doing, the Philippines attempts to deny China's territorial sovereignty and clothes its illegal occupation of China's islands and reefs with a cloak of "legality". The Philippines' attempt to seek a so-called "durable solution" such as this and the means it has employed to that end are absolutely unacceptable to China.

In accordance with international law, and especially the principle of the law of the sea that "land dominates the sea", determined territorial sovereignty is the precondition for, and basis of maritime delimitation. The claims for arbitration as raised by the Philippines are essentially concerned with maritime delimitation between the two countries in parts of the South China Sea, and thus inevitably involve the territorial sovereignty over certain relevant islands and reefs. However, such issues of territorial sovereignty are not the ones concerning the interpretation or application of the UN Convention on the Law of the Sea (UNCLOS). Therefore, given the fact that

the Sino-Philippine territorial disputes still remain unresolved, the compulsory dispute settlement procedures as contained in UNCLOS should not apply to the claims for arbitration as raised by the Philippines. Moreover, in 2006, the Chinese Government made a declaration in pursuance of Article 298 of UNCLOS, excluding disputes regarding such matters as those related to maritime delimitation from the compulsory dispute settlement procedures, including arbitration. Therefore, the request for arbitration by the Philippines is manifestly unfounded. China's rejection of the Philippines' request for arbitration, consequently, has a solid basis in international law.

In the interest of maintaining the Sino-Philippine relations and the peace and stability in the South China Sea, China has been persistent in pursuing bilateral negotiations and consultations with the Philippines to resolve relevant disputes. It is a commitment undertaken by all signatories, the Philippines included, under the Declaration on the Conduct of Parties in the South China Sea (DOC) that disputes relating to territorial and maritime rights and interests be resolved through negotiations by sovereign states directly concerned therewith. The DOC should be implemented in a comprehensive and serious manner. China will adhere to the means of bilateral negotiations to resolve territorial and maritime delimitation disputes both in accordance with applicable rules of international law and in compliance with the spirit of the DOC.

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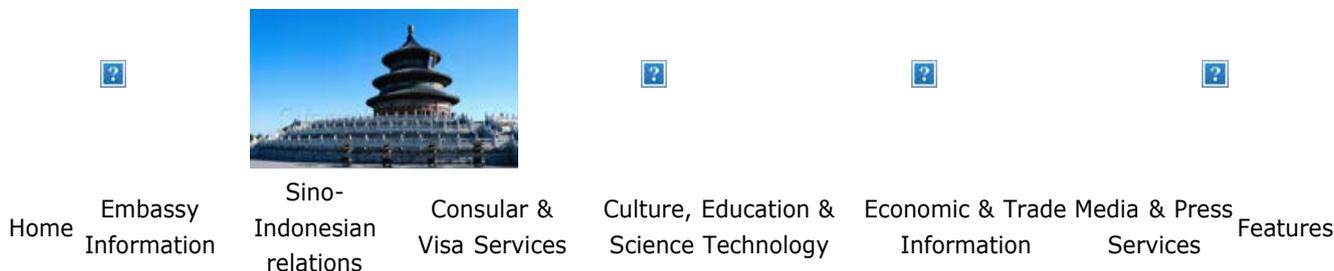
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Annex 128

Ministry of Foreign Affairs of the People's Republic of China, *Remarks by H. E. Li Keqiang, Premier of the State Council of the People's Republic of China, at the 16th ASEAN-China Summit (16 Oct. 2013)*



Home > Features > Premier Li Keqiang Attends Meetings of East Asian Leaders and Pays Official Visits to Brunei, Thailand and Vietnam

Remarks by H.E. Li Keqiang Premier of the State Council of the People's Republic of China At the 16th ASEAN-China Summit

2013/10/16

Bandar Seri Begawan, 9 October 2013

Your Majesty Sultan Hassanal Bolkiah of Brunei Darussalam,

Dear Colleagues,

Good afternoon. I am delighted to join you in the beautiful city of Bandar Seri Begawan. His Majesty Sultan has attended the ASEAN-China Summit many times and put in tremendous efforts in promoting ASEAN's cooperation with China. I wish to thank His Majesty Sultan and the government of Brunei for the meticulous preparation and thoughtful arrangements for this meeting. As for me, this is my first time to attend the meeting and I look forward to an in-depth exchange of views with all friends present, old and new, on the future course of our cooperation.

The year 2013 marks the 10th anniversary of the China-ASEAN strategic partnership. Over the past decade, China-ASEAN relations have achieved robust growth and our cooperation has made remarkable progress. We have deepened political mutual trust, supported each other on many major international and regional affairs, and maintained good-neighborliness and harmonious coexistence. We have significantly advanced our practical cooperation. From 2002 to 2012, two-way trade grew at an average annual rate of 23.6%, reaching US\$400 billion. Mutual investment increased 3.4 times, totaling over US\$100 billion. China is now ASEAN's biggest trading partner and ASEAN China's third largest trading partner. China and ASEAN have established the world's largest free trade area among developing countries. We have increased our people-to-people and cultural exchanges, and deepened cooperation in areas relating to people's livelihood and the development of social programs. Last year, 9.69 million Chinese tourists traveled to ASEAN countries. In the face of the international financial crisis and major natural disasters, we stood alongside each other and worked closely together. This has enhanced the public support for our cooperation.

Over the past decade, East Asia has grown with strong momentum despite the ups and downs in the international environment. The key to fruitful China-ASEAN cooperation lies in mutual trust, pragmatism and inclusiveness. Such cooperation, in essence, serves our common interests and complies with the trend of the times toward peace, development and cooperation. In today's world, countries, more than ever before, need to have a peaceful and stable external environment. They need to push forward one's own development through closer cooperation, view each other with a long-term perspective, and work jointly like one big family for their common future. To this end, I believe we need to further intensify the following two points of consensus:

First, deeper strategic mutual trust and good-neighborly relations is fundamental to closer cooperation. Amidst great changes in the international situation in the last 20-plus years since the end of the Cold War, East Asia has been able to seize the opportunity for development and enjoyed rapid growth. The most important reason is that we have jointly maintained peace and stability in this region. Without a secure environment, economic prosperity cannot sustain; and without mutual trust, win-win cooperation can hardly go any further. China will, as always, pursue the foreign policy of building friendship and partnership with its neighbors, resolve differences through friendly consultation and dialogue on the basis of mutual respect and equality, and support ASEAN's centrality in East Asia cooperation. We are ready to share weal and woe and grow together with ASEAN. If I could compare China-ASEAN cooperation to a fine piece of silk, then China and ASEAN would be the vertical thread and horizontal thread on the loom that have to be interwoven by the

"shuttle" of mutual trust. That is how we can make sure that the piece of silk, when finished, could really shine with grandeur and splendor.

The situation in the South China Sea is generally stable, and the differences that exist will not and should not affect the overall China-ASEAN relations. Disputes in the South China Sea should be addressed through consultation and negotiation between parties directly concerned. China and ASEAN countries should work together to maintain peace and stability in the South China Sea and jointly foster a favorable environment for peaceful settlement of the disputes. Pending a peaceful settlement, China maintains that parties to the dispute should work actively for joint development. There is freedom of navigation in the South China Sea, and the safety of navigation in the South China Sea is assured. Each year, over 100,000 cargo ships from various countries sail across this area smoothly. China will continue to work with other countries in the region to uphold the freedom and safety of navigation in the South China Sea.

The Declaration on the Conduct of Parties in the South China Sea (DOC), as an important political agreement reached among China and ASEAN countries, constitutes the cornerstone for peace and stability in the South China Sea. Last month, the Senior Officials' Meeting and Joint Working Group Meeting for the implementation of the DOC were successfully held in Suzhou, China. China will work with ASEAN countries to vigorously promote practical maritime cooperation in the process of full and effective implementation of the DOC. China will continue to have consultations with ASEAN countries on formulating a code of conduct in the South China Sea (COC) under the framework of implementing the DOC, and will work with ASEAN countries to advance the formulation process of the COC in an active and prudent manner under the principle of consensus building. A tranquil South China Sea is a blessing for all, while a turbulent one benefits no one. We need to work together to make it a sea of peace, friendship and cooperation.

Second, focusing on economic development and expanding win-win results is crucial to deeper cooperation. China and ASEAN are both in a crucial period of development. With a combined population of 1.9 billion, we enjoy a huge market and tremendous development potential. To enhance business cooperation and draw on each other's strengths has become the choice for China and ASEAN countries to overcome obstacles on the way ahead and promote common development. What we need to do is to take further actions and achieve a few more major results to bring our practical cooperation to a new level. China will give strong support to the development of the GMS and BIMP-EAGA, so as to narrow the development gap between ASEAN countries and promote ASEAN Community building. The recent volatility in the financial markets of some Southeast Asian countries has not been followed by a new round of crisis. This is attributable to the efforts of these countries in economic reform, structural adjustment and financial supervision, and to their communication, coordination and cooperation in the financial and other fields. We should continue to uphold our common interests and make the dividends of our cooperation reach our people in a most extensive way.

Dear Colleagues,

The China-ASEAN relationship has become a mature one and China-ASEAN cooperation has entered the fast track of development. We need to seize the opportunities to further elevate our cooperation. To this end, and on the basis of the above-mentioned two points of political consensus, I wish to make a seven-point proposal on building a framework for wide-ranging, in-depth, high-level and all-round China-ASEAN cooperation in the next decade.

First, we need to actively discuss the possibility of concluding a treaty on good-neighborliness, friendship and cooperation between China and ASEAN countries. Good-neighborliness and friendship are a treasure for China-ASEAN cooperation to which we all need to remain truly committed. The new Chinese government attaches great importance to ASEAN and takes ASEAN as a priority on its diplomatic agenda regarding the neighborhood. We should plant more flowers, not thorns, in our relations and always be good neighbors, good friends and good partners. During the Special China-ASEAN Foreign Ministers' Meeting held recently, the two sides discussed the possibility of concluding a treaty on good-neighborliness, friendship and cooperation between China and ASEAN countries. Smooth progress of this process will reflect our confidence and resolve for jointly upholding peace and stability in the region, including in the South China Sea, and for deepening mutually beneficial cooperation. If consensus could be reached and the treaty finally signed, it will provide legal and institutional safeguards for China-ASEAN strategic cooperation, and will become a banner guiding the development of China-ASEAN relations.

Second, we need to start negotiations on an upgraded version of the China-ASEAN Free Trade Area (CAFTA). China suggests to launch negotiations as soon as possible on an upgraded CAFTA. We will encourage both sides to take more steps to open up such areas as trade in goods, trade in services and investment cooperation so as to further advance trade and investment liberalization and facilitation. We will endeavor to raise two-way trade to US\$1 trillion by 2020, and enable ASEAN countries to benefit even more from regional integration and China's economic growth. In the coming eight years, China will import as much as three trillion US dollars of goods from ASEAN and invest over US\$100 billion in ASEAN countries. The Chinese government supports Hong Kong in conducting FTA negotiations with ASEAN as a separate customs territory. China also stands ready to work with ASEAN to advance negotiations of the Regional Comprehensive Economic Partnership (RCEP) to deepen economic integration of our region.

Third, we need to expedite the development of infrastructural connectivity. Better connectivity contributes to regional trade facilitation and helps expand trade bilaterally and multilaterally. We should make good use of such mechanisms as the China-ASEAN Committee on Connectivity Cooperation and China-ASEAN Transport Ministers' Meeting to make better planning and identify and launch landmark collaborative projects on connectivity building as soon as possible. China will work with other parties to jointly advance the flagship project of the Pan-Asia Railway network and hopes to see early start of its construction. To meet the financing needs of some regional countries to upgrade infrastructure, China will continue to make proper use of the China-ASEAN Investment Cooperation Fund and provide special loans. At the same time, China proposes that an Asian infrastructure investment bank be set up, and welcomes ASEAN countries to play

Remarks by H.E. Li Keqiang Premier of the State Council of the People's Republic of China At the 16th ASEAN-China Summit

an active part in it. With an open approach, the bank aims to pool collective efforts to raise our financing capacity and will give priority to transport, energy, communication and other infrastructure projects in countries of the region.

Fourth, we need to step up regional financial cooperation and risk prevention. China will work with other countries in the region and take more effective measures to tackle regional and international financial risks. China suggests that we increase the size and scope of bilateral local currency swap, expand the pilot program of settling cross-border trade with local currencies to reduce the exchange rate risks and settlement costs of intra-regional trade and investment, and fully leverage the role of the China-ASEAN Inter-bank Association. We need to strengthen cooperation on the Chiang Mai Initiative Multilateralization and move speedily to improve the operational procedures for the US\$240 billion foreign exchange reserve pool. China is ready to provide facilitation to the monetary authorities and other institutions of ASEAN countries to invest in China's bond market. We also need to vigorously explore and formulate a roadmap for future regional financial cooperation and endeavor to forge an Asia currency stability system, an Asia credit system and an Asia investment and financing cooperation system.

Fifth, we need to steadily advance maritime cooperation. This is a major undertaking, and both sides need to take active steps to advance our maritime partnership and jointly build the Maritime Silk Road of the 21st century. China has set up a RMB3 billion China-ASEAN Maritime Cooperation Fund and welcomes project proposals from ASEAN countries. The first group of 17 approved projects are aimed to support cooperation over marine economy, maritime connectivity, marine environmental protection and scientific research, and maritime search and rescue. Fishery cooperation should be given priority, as it benefits our people directly and helps to maintain stability. China supports the holding of a China-ASEAN marine cooperation forum in Indonesia this coming November.

Sixth, we need to strengthen exchange and cooperation in the security field. China proposes that the mechanism of ASEAN-China Defense Ministers' Meeting be improved and regular dialogues on regional security issues be held. China welcomes ASEAN defense ministers to visit China at an appropriate time and hold a special China-ASEAN defense ministers' meeting. The two sides may also deepen cooperation in disaster prevention and relief, cyber security, combating transnational crimes, joint law enforcement and other non-traditional security fields. China proposes that a plan of action be formulated on China-ASEAN disaster relief cooperation, and that contact be strengthened with the ASEAN Coordination Center for Humanitarian Assistance on Disaster Management. China will provide RMB50 million for cooperation on disaster prevention and relief. China is ready to establish a dialogue and exchange mechanism between the maritime law enforcement agencies of the two sides and conduct personnel training and joint patrol with ASEAN countries.

Seventh, we need to intensify cultural, scientific, technological, environmental and people-to-people exchanges. The roots of friendship and cooperation lie in the people. We will jointly formulate an action plan for China-ASEAN cultural cooperation and ensure the success of activities during the 2014 year of China-ASEAN cultural exchange. In the next three to five years, China will provide ASEAN countries 15,000 government scholarships and build more education centers catered to ASEAN countries in China. China will contribute RMB200 million to the Asia Regional Cooperation Fund to mainly finance people-to-people exchange between the two sides and capacity building. China will continue to support the development of such platforms as the China-ASEAN Center, China-ASEAN Think Tank Network and China-ASEAN Public Health Cooperation Fund, and advance exchanges in culture and education and between youth, think tanks and media organizations, so as to build strong popular support for our cooperation. China will continue to implement the China-ASEAN Scientific and Technological Partnership Program, set up a China-ASEAN Science and Technology Innovation Center, and bolster cooperation in new energy and other areas. China will also put forward an initiative for cooperation between Chinese and ASEAN environmental industries, and establish a China-ASEAN demonstration base for cooperation and exchanges on environment-related technologies and between relevant industries. China and ASEAN countries are home to eastern civilizations and we have confidence in creating new highlights in our cooperation.

The two points of political consensus and seven cooperation proposals I have just outlined can be summarized as a "2+7 cooperation framework". It demonstrates the political commitment of the current Chinese government towards the future development of China-ASEAN relations. The essence is to increase political trust between China and ASEAN, deepen all-round cooperation and promote common development, so that China-ASEAN relations will benefit the people of our two sides and contribute more to peace, stability and prosperity of the region and beyond.

Dear Colleagues,

China-ASEAN relations enjoy a deep foundation and strong bonds; China-ASEAN cooperation promises tremendous potential and broad prospects. People say that the future of the world lies in the Asia-Pacific and the prosperity of the Asia-Pacific hinges on East Asia. The historical window of opportunity is open right in front of us: seizing it, we will accomplish greater development; missing it, we risk falling behind. China wants to be ASEAN's partner and friend forever. Through sincere cooperation, we will make even greater contribution to Asia and the world.

Thank you.

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Annex 128

Remarks by H.E. Li Keqiang Premier of the State Council of the People's Republic of China At the 16th ASEAN-China Summit

- Remarks by H.E. Li Keqiang Premier of the State Council of the People's Republic of China At the 16th ASEAN Plus Three Summit (2013-10-16)
- Remarks by H.E. Li Keqiang Premier of the State Council of the People's Republic of China At the 8th East Asia Summit (2013-10-16)
- Premier Li Keqiang Attends the 16th ASEAN-China Summit, Stressing to Push for Wide-ranging, In-depth, High-level, All-dimensional Cooperation between China and ASEAN and Continue to Write New Chapter of Bilateral Relations (2013-10-16)
- Premier Li Keqiang Gives Joint Written Interview To Media from ASEAN Countries (2013-10-10)

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Annex 129

People's Republic of China, Ministry of Land and Resources, *Organizational Chart*

Source: Ministry of Land and Resources

[...]

Overview of the Ministry

[...]

Organizational Structure

State Oceanic Administration

[...]

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三定方案

根据第十一届全国人民代表大会第一次会议批准的国务院机构改革方案和《国务院关于机构设置的通知》（国发〔2008〕11号），设立国土资源部，为国务院组成部门。

详情进入>>

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土地利用管理司	地质勘查司	矿产开发管理司	矿产资源储量司
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Annex 130

People's Republic of China, Ministry of Land and Resources, China State Oceanic Administration,
Organizational Chart

Source: State Oceanic Administration

[...]

You are currently at: State Oceanic Administration > Public Information > Overview of the Administration > Organizational Structure

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Subordinate organizations

China Marine Surveillance

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Annex 131

Ministry of Foreign Affairs of the People's Republic of China, *Foreign Ministry Spokesperson Hong Lei's Statement Regarding Comments by an Official of the United States Department of State on the South China Sea*
(8 Feb. 2014)

**Ministry of Foreign Affairs Spokesperson Hong Lei's statement regarding comments
by an official of the United States Department of State on the South China Sea**

8 February 2014

Q: On February 5, United States Assistant Secretary Russel stated in a testimony before the Congress that the Chinese maritime claims based on the “nine-dash line” were inconsistent with principles of international law, and urged that the Chinese position should be clarified or adjusted. How does China respond to this?

A. The Chinese maritime rights and interests in the South China Sea were formed historically and are protected by international law. China has remained committed to resolving maritime disputes with the countries involved through negotiation and consultation. Meanwhile, China attaches great importance to maintaining peace and stability in the South China Sea jointly with the Association of Southeast Asian Nations through implementing the *Declaration on the Conduct of Parties in the South China Sea*. As described above, the Chinese position is clear and consistent. Making-up issues and exaggeration of tensions would not help to maintain peace and stability in the Southeast Asian region. The comments made by certain officials in the congressional testimony are not constructive. We urge the United States to take a rational and fair attitude and play a constructive role toward the peace, stability, prosperity and development of the region, not the other way around.

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外交部发言人洪磊就美国务院官员涉南海言论答记者问

2014/02/08

问：2月5日，美国助理国务卿拉塞尔在美国会听证会上称，中国根据“九段线”宣示海洋权益与国际法原则不符，应就此作出澄清或调整立场。中方对此有何评论？

答：中国在南海的海洋权益是历史形成的，并受到国际法的保护。对于同有关国家间的海洋争议，中方一直致力于与直接有关的当事国通过谈判和磋商解决。同时，中国高度重视同东盟国家通过落实《南海各方行为宣言》共同维护南海的和平稳定。中方的上述立场是明确的、一贯的。制造话题、渲染紧张无助于维护东南亚地区的和平稳定。美方一些官员在国会听证会发表有关言论，不是建设性的行为。我们敦促美方拿出理性、公允的态度，为本地区的和平稳定和繁荣发展发挥建设性的作用，而不是相反。

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Annex 132

Association of Southeast Asian Nations, *Joint Communiqué: 25th ASEAN Ministerial Meeting* (22 July 1992)



<http://www.asean.org/communities/asean-political-security-community/item/joint-communique-25th-asean-ministerial-meeting-manila-philippines-21-22-july-1992>

Joint Communique 25th ASEAN Ministerial Meeting Manila, Philippines, 21-22 July 1992

INTRODUCTION

1. The Twenty-Fifth ASEAN Ministerial Meeting was held in Manila from 21 to 22 July 1992. The Meeting was formally opened by His Excellency Mr. Fidel V. Ramos, President of the Republic of the Philippines.
2. The Meeting was attended by His Royal Highness Prince Mohamed Bolkiah, Minister of Foreign Affairs of Brunei Darussalam; His Excellency Mr. Ali Alatas, Minister for Foreign Affairs of the Republic of Indonesia; His Excellency Datuk Abdullah bin Haji Ahmad Badawi, Minister of Foreign Affairs of Malaysia; His Excellency Mr. Raul S. Manglapus, Secretary of Foreign Affairs of the Republic of the Philippines; His Excellency Mr. Wong Kan Seng, Minister for Foreign Affairs of the Republic of Singapore; His Excellency Mr. Arsa Sarasin, Minister of Foreign Affairs of Thailand and their respective delegations.
3. His Excellency Mr. Rusli Noor, Secretary-General of the ASEAN Secretariat, and members of his staff were also present.
4. His Excellency Mr. Maimu Raka-Nou, Special Envoy of the Minister of Foreign Affairs of Papua New Guinea, attended the open sessions as Special Observer.
5. His Excellency Mr. Qian Qichen, Minister of Foreign Affairs of the People's Republic of China, and His Excellency Mr. Andrei Kozyrev, Minister of Foreign Affairs of the Russian Federation attended the open sessions - as Guests of the Chairman of the ASEAN Standing Committee.
6. His Excellency Mr. Nguyen Manh Cam, Foreign Minister of the Socialist Republic of Vietnam, and His Excellency Mr. Phoun Sipraseuth, Minister of Foreign Affairs of the Lao People's Democratic Republic, also attended the Opening Session. In a separate ceremony, they handed over their respective instruments of Accession to the Treaty of Amity and Cooperation in Southeast Asia.
7. His Excellency Mr. Raul S. Manglapus, Secretary of Foreign Affairs of the Republic of the Philippines, chaired the Meeting. His Excellency Mr. Wong Kan Seng, Minister for Foreign Affairs of the Republic of Singapore, was elected Vice-Chairman.

OPENING ADDRESS

8. In his Opening Address, His Excellency Mr. Fidel Ramos, President of the Republic of the Philippines stated that, the openness and flexibility of ASEAN account for its success, evidenced by its Dialogue Partner relationships and the interest shown by other countries. Of specific significance are the Special observer status of Papua New Guinea and the accession of Vietnam and Laos to the Treaty of Amity and Cooperation in Southeast Asia. Noting a "season of grace for building confidence", he urged for ASEAN cooperation in at least six areas: defense cooperation including more military consultations and technical exchange; training and exercises; economic cooperation including trade liberalization and increased access to Western markets; technology transfer; regional environmental protection; mechanisms to quell piracy as well as the illicit drug trade and ways to deal with large scale worker migration.

He stressed that the most effective way of enhancing regional security is the strengthening of economic cooperation. As he underscored the need for an urgent solution to the rival claims in the South China Sea and for a greater role of the United Nations in conflict resolution, he called for a common vision of regional security and enhanced economic cooperation for its own sake, for a better life for ASEAN peoples and for greater political stability.

As he reiterated the Philippines' commitment to the SEAN Free Trade Area, free enterprise and private initiative, he affirmed ASEAN unity in ethnicity, culture and aspiration in common action to accelerate the economic growth and cultural development in a spirit of equality and friendship to attain the fullness of freedom, peace and prosperity for this

generation and for posterity.

INTERNATIONAL AND REGIONAL SITUATION

9. The Foreign Ministers had a full and wide-ranging exchange of views on current international and regional developments. They pledged to consult closely with a view to reaching a common position on issues of special concern to ASEAN.

10. The Foreign Ministers noted the profound impact of the end of the Cold War and of East-West confrontation in terms of new strategic uncertainties and fresh opportunities. They welcomed the emergence of the newly independent states in Central and Eastern Europe and Central Asia and noted the encouraging reforms being instituted to bring about political and economic stability in the region.

11. The Foreign Ministers expressed deep concern over the deteriorating situation in Bosnia-Herzegovina and called for immediate cessation of hostilities. They urged all parties concerned to extend their full cooperation to the United Nations and all peace initiatives.

12. The Foreign Ministers welcomed the establishment of the interim government in Afghanistan and expressed the hope that the on-going process of national reconciliation and reconstruction would contribute positively to the speedy recovery of Afghanistan and also to the restoration of peace and stability in the region.

13. Pursuant to the decision on one ASEAN Heads of Government at their Fourth Meeting in Singapore on 27-28 January 1992 on enhancing regional political and security cooperation, the Foreign Ministers noted that a Special Meeting of the ASEAN Senior Officials on Regional Security was held in Manila on 25-26 June 1992 as well as the reconvening of the Working Group on ZOPFAN and SEANWFZ. They directed the Working Group to complete its work.

14. The Foreign Ministers welcomed the accession by Vietnam and Laos to the Treaty of Amity and Cooperation in Southeast Asia and expressed confidence that the Treaty would provide the framework for wider and fruitful regional cooperation for the entire Southeast Asian region.

15. The Foreign Ministers also approved the applications of Vietnam and Laos for Observer status at the ASEAN Ministerial Meeting, immediately after the submission of their respective instruments of accession to the Treaty of Amity and Cooperation in Southeast Asia.

16. The Foreign Ministers reiterated the readiness of the ASEAN countries to participate actively in the reconstruction of Cambodia, Laos and Vietnam.

17. The Foreign Ministers expressed the view that any adverse development in the South China Sea directly affects the peace and security in the region. They emphasized that any territorial or jurisdictional dispute should be resolved by peaceful means, without resort to force. They urged all parties concerned to exercise self-restraint with a view to create in a positive climate for the resolution of these disputes. The Foreign Ministers noted that the Workshops on Managing Potential Conflicts in the South China Sea initiated and hosted by Indonesia had contributed to a better understanding of the issues involved. They also noted that the informal and unofficial format of the Workshops has enabled open and frank discussions to take place. The Foreign Ministers commended all parties concerned to apply the principles incorporated in the Treaty of Amity and Cooperation in Southeast Asia as the basis for establishing a code of international conduct over the area. The Foreign Ministers decided to issue a separate Declaration on this matter.

18. The Foreign Ministers maintained that environmental and human rights concerns should not be made as conditionalities in economic and development cooperation. They noted that basic human rights, while universal in character, are governed by the distinct culture and history of, and socioeconomic conditions in each country and that their expression and application in the national context are within the competence and responsibility of each country.

CAMBODIA

19. Cognizant of the initial success of the implementation of the Paris Agreement on the Comprehensive Political Settlement of the Cambodian Conflict signed on 23 October 1991, the Foreign Ministers viewed with concern the current difficulties in implementing Phase 11 of the Agreement.

20. In this regard, the Foreign Ministers urged all parties in Cambodia to cooperate fully in the implementation of the Agreement in order to end the sufferings of the people.

21. The Foreign Ministers reiterated their recognition of the SNC as the sole legitimate body and source of authority in Cambodia and called on all parties concerned to safeguard the integrity of the SNC, under the leadership of His Royal Highness Samdech Preah Norodom Sihanouk.

22. The Foreign Ministers also expressed their full support for the United Nations Transitional Authority in Cambodia (UNTAC) which is playing a pivotal role in the peace process. They also expressed appreciation to countries which contributed resources including manpower to the UNTAC to ensure its successful operation.

23. The Foreign Ministers also welcomed the pledges of support by the international community made during the Ministerial Conference Rehabilitation and Reconstruction of Cambodia held in Tokyo on 22 June 1992, and expressed the hope that more of such support would be forthcoming.

INDOCHINESE ASYLUM SEEKERS

24. The Foreign Ministers expressed concern that problems still remain in the implementation of the Comprehensive Plan of Action (CPA) which hinder its accomplishment within the three-year time-frame agreed to at the 1989 International Conference on Indochinese Refugees in Geneva. They stressed that the problem of "residuals" needs to be addressed urgently as tens of thousands of "screened-out" asylum seekers still remain in camps in the region. In this connection, they called for acceleration of the resettlement of refugees in third countries and of the repatriation of non-refugees to their respective countries of origin.

25. The Foreign Ministers regretted the substantial cut in the budget for CPA activities which hampered their implementation. They strongly urged the international community to provide the UNHCR with the necessary financial resources to ensure the implementation of the CPA so that countries of temporary refuge or first asylum would not be left with any 'residuals'.

MIDDLE EAST

26. The Foreign Ministers reiterated their support for the continuation of the Middle East peace process under the auspices of the United Nations to address the Palestinian issue and the Arab-Israeli conflict in accordance with UN Security Council Resolutions 242 and 338 and other relevant resolutions. On the situation in Lebanon, the Foreign Ministers reaffirmed their support for the full implementation of the 1989 Tariff Agreement and the UN Security Council Resolution 425.

27. The Foreign Ministers welcomed the initiative taken by the United States and the Russian Federation in co-sponsoring a Regional Peace Conference for direct negotiations on the Palestinian issue and the Arab-Israeli conflict which constitute the main source of instability and tension in the region.

SOUTH AFRICA

28. The Foreign Ministers expressed grave concern over the continuing violence in South Africa and the breakdown in the constitutional negotiations. They called for an end to the violence and for the creation of a climate of reconciliation that would allow for the resumption of talks. They supported the call for the United Nations role in helping in the establishment of a democratic, non-racial and united South Africa,

THE 10TH NON-ALIGNED SUMMIT

29. The Foreign Ministers expressed their support for the leadership role to be played by Indonesia in hosting the 10th Conference of the Heads of State/Government of the Non-Aligned Movement to be held in Jakarta from 1-6 September 1992. They expressed the hope that the Summit would serve as an opportunity for the Movement to contribute to the shaping of a just and equitable new world order.

INTERNATIONAL ECONOMIC ISSUES

30. In reviewing the international economic situation, the Foreign Ministers expressed concern on the decline of world output, the deceleration of trade growth in 1991, and the uncertain prospects for recovery in 1992. This situation has adversely affected the growth prospects of developing countries.

They stressed that the role of industrialized countries remains central to the revival of the growth of the world economy. Therefore, the Foreign Ministers urged these countries to vigorously pursue policies aimed at promoting sustained non-

inflationary world economic growth.

31. The Foreign Ministers emphasized that in the current difficult world economic environment, the need for a successful Uruguay Round and a strengthened multilateral trading system was now more urgent to both developing and developed countries. Failure of the Round could only further restrict economic growth opportunities, encourage protectionist policies and seriously weaken the multilateral trading system. Therefore, the Foreign Ministers strongly urged the major players to demonstrate their political will and take positive steps to ensure without further delay a balanced, meaningful and satisfactory conclusion of the Uruguay Round.

32. The Foreign Ministers expressed dismay over the failure to conclude the Uruguay Round of Multilateral Trade Negotiations owing to the stalemate in agriculture between major players. They expressed disappointment that the G-7 Summit in Munich failed to produce any progress for the Round.

33. The Foreign Ministers reaffirmed their view that large and powerful economic groupings among developed countries must strengthen an open international economic regime, in particular, an open multilateral trading system. The Ministers expressed their resolve to exert all efforts to promote an open international trading system.

34. Noting the competing demands for capital and investment resources, the Foreign Ministers underscored the need to increase global savings required for structural adjustments and reconstruction efforts, with a view to revitalizing world economic growth.

35. On the external debt crisis, the Foreign Ministers welcomed the progress made recently in the implementation of the debt relief approaches. They reiterated the need for a coordinated tripartite approach involving debtors, creditor countries and financial institutions to take steps to alleviate the debt burden of developing countries, far beyond the scope of the current terms and to allow for recovery, growth and development in the countries concerned. In this connection, the Foreign Ministers endorsed the idea of a major write-off of debts by official donors and commercial banks as well as by multilateral institutions.

36. The Foreign Ministers reiterated that environment and development are mutually interrelated and mutually reinforcing. The right to development is a fundamental right of all peoples and measures for the protection of the environment should support economic growth and sustainable development. The Foreign Ministers reaffirmed that ASEAN should strengthen joint actions in countering the anti-tropical timber campaigns in the major developed countries.

37. The Foreign Ministers welcomed the convening of the United Nations Conference on Environment and Development held in Rio de Janeiro on 3-14 June 1992 and viewed the Earth Summit not as an end in itself but as a new beginning for a global partnership in attaining sustainable development in both developed and developing countries. In this context, it is imperative that the developed countries and the multilateral financial institutions implement their commitments made in Rio by granting new and additional financial resources and environmentally-sound technologies to the developing countries.

38. The Foreign Ministers welcomed the declaration of the UN Security Council of 31 January 1992 which recognized "that peace and prosperity are indivisible and that lasting peace and stability require effective international cooperation for the eradication of poverty and the promotion of a better life for all in larger freedom". The Foreign Ministers also reiterated their commitment to the new partnership for development forged at UNTAC VIII in Cartagena de Indias, Colombia. In this partnership, developed and developing countries committed themselves to engage in continuous and constructive dialogue to achieve a more efficient and more equitable world economy.

39. The Foreign Ministers reiterated their view that the emerging global economic order must provide for more equal economic opportunities for all nations. Noting that aggregate net flows to the developing countries in 1991 have declined in real terms, they urged the international community to intensify efforts to provide substantial development finance to complement domestic resources to improve developing countries' prospects for sustaining growth-oriented adjustment and poverty alleviation. They also called upon the industrialized countries and the multilateral financial institutions to intensify their efforts to promote foreign direct investment in developing countries. Finally, the Foreign Ministers underscored the importance of a more favorable external environment for the growth and development of developing countries and urged the industrialized countries to establish a genuinely open multilateral trading system.

IMPLEMENTATION OF FOURTH ASEAN SUMMIT DECISIONS

40. The Foreign Ministers affirmed ASEAN's commitment to the decision of the 4th Meeting of the ASEAN Heads of

Government in Singapore on 27-28 January 1992 to establish an ASEAN Free Trade Area (AFTA) within 15 years. The Foreign Ministers expressed satisfaction with the progress made towards the implementation of the Agreement on the Common Effective Preferential Tariff (CEPT) Scheme for the ASEAN Free Trade Area (AFTA). This Agreement, together with the Framework Agreement on Enhancing Economic Cooperation, is a significant step forward for ASEAN and firmly sets economic cooperation as the major item on the ASEAN agenda.

41. The Foreign Ministers signed the Protocol Amending the Agreement on the Establishment of the ASEAN Secretariat to streamline and strengthen the ASEAN Secretariat. The enhanced status and enlarged mandate of the new ASEAN Secretary-General and the increase in the number of staff in the ASEAN Secretariat recruited on an open basis, will enable the ASEAN Secretariat to play a greater role in promoting ASEAN cooperation.

SELECTION OF THE SECRETARY-GENERAL OF ASEAN

42. The Foreign Ministers agreed to recommend to the ASEAN Heads of Government the appointment of His Excellency Dato Ajit Singh as Secretary-General of ASEAN effective 1 January 1993.

43. The Foreign Ministers also expressed their profound appreciation to the outgoing Secretary-General of the ASEAN Secretariat, His Excellency Mr. Rusli Noor for his dedicated services and invaluable contributions to ASEAN.

INTRA-ASEAN COOPERATION

44. The Foreign Ministers noted with satisfaction the progress of activities in several areas of intra-ASEAN cooperation.

45. In the area of information, the Foreign Ministers welcomed the decision of the Second Conference of ASEAN Ministers Responsible for Information held in Kuala Lumpur on 1-2 August 1991 to create a greater awareness of ASEAN in the region and to project its image more effectively internationally. They fully concurred on the need for a more balanced flow of information.

46. The Foreign Ministers welcomed the results of the Thirteenth Meeting of the ASEAN Ministers of Agriculture and Forestry held in Chiang Rai on 31 October-2 November 1991 which identified the areas where ASEAN cooperation in agriculture, food and forestry in the 1990s would be further strengthened, especially the joint promotion of ASEAN agricultural products. They also welcomed the decisions of the Fourth Meeting of ASEAN Ministers of Health held in Jakarta on 4-5 December 1991 to exchange health information in ASEAN with emphasis on AIDS and environmental health.

47. The Foreign Ministers fully endorsed the Singapore Resolution on Environment and Development adopted by the Fifth Conference of ASEAN Ministers Responsible for Environment held in Singapore on 17-18 February 1992 which sets the directions for ASEAN to enhance its on-going and future cooperation on environment and development.

48. In view of the increasingly strong competition to attract foreign investment by the developed as well as the developing countries, the Foreign Ministers agreed to encourage their respective officials responsible for investment promotion to conduct regular consultations with a view to increasing inflows of foreign investments to ASEAN countries.

COOPERATION WITH DIALOGUE COUNTRIES AND OTHER ORGANIZATIONS

49. The Foreign Ministers endorsed the recommendations of the Fourth Meeting of the 25th ASEAN Standing Committee to implement the decision of the Fourth ASEAN Summit to strengthen ASEAN's cooperative relationships with its Dialogue Partners. While these cooperative relationships have made significant progress, the Foreign Ministers supported the thrust of the recommendations that ASEAN should strengthen the existing dialogue mechanisms and develop new ones where necessary or the enhancement of economic relations with the dialogue Countries especially ASEAN's major economic partners. They also noted with appreciation the active role now being played by the private sector in the dialogue process.

ASIA - PACIFIC ECONOMIC COOPERATION APEC

50. The Foreign Ministers noted that the Second Senior Officials Meeting of the Asia-Pacific Economic Cooperation held in Bangkok on 22-24 June 1992 adopted recommendations on the nature and structure of the APEC support mechanism and the funding arrangements which will be considered at the Fourth APEC Ministerial Meeting in Bangkok on 10-11 September 1992. They noted that the establishment of a support mechanism would mark a new phase in the organizational evolution of the APEC process.

EAST ASIA ECONOMIC CAUCUS (EAEC)

51. The Foreign Ministers, having considered the outcome of the JCM held on 19 July 1992 in Manila, in accordance with the decision of the Fourth ASEAN Summit, decided to request the Secretary-General of the ASEAN Secretariat, as Chairman of the JCM, to study an appropriate modality that would complete the elaboration of the concept of EAEC with a view to accomplishing its realization taking into account the ideas presented at the Meeting as well as earlier discussions held on the matter.

25TH ANNIVERSARY OF ASEAN

52. The Foreign Ministers noted with satisfaction the various programs and activities that have been and will be undertaken to commemorate the 25th year of ASEAN. They also encouraged the implementation of such activities by ASEAN Committees in Third countries for the rest of the year.

26TH AMM

53. The Foreign Ministers agreed that the 26th AMM could be held in Singapore in July 1993.

54. The delegations of Brunei Darussalam, Indonesia, Malaysia, Singapore and Thailand expressed their sincere and deep appreciation to the government and people of the Republic of the Philippines for the warm and generous hospitality and excellent facilities and arrangements made for the meeting.

55. The Meeting was held in the traditional spirit of ASEAN friendship and solidarity.

Annex 133

Association of Southeast Asian Nations, *Joint Communiqué: 29th ASEAN Ministerial Meeting* (21 July 1996)



<http://www.asean.org/communities/asean-political-security-community/item/joint-communique-of-the-29th-asean-ministerial-meeting-amm-jakarta-20-21-july-1996>

Joint Communique of The 29th ASEAN Ministerial Meeting (AMM) Jakarta, 20-21 July 1996

1. The Twenty-Ninth ASEAN Ministerial Meeting was held in Jakarta from 20 to 21 July 1996.

FIFTH ASEAN SUMMIT

2. The Foreign Ministers underlined the significant achievements of the Fifth ASEAN Summit held in Bangkok from 14 - 15 December 1995. As part of the Summit's agenda, the ASEAN Leaders held a meeting with the Leaders of Cambodia, Laos and Myanmar, pursuant to the Summit's theme "ASEAN towards One Southeast Asia". All ten Leaders signed the Treaty on Southeast Asia Nuclear Weapon-Free Zone and agreed to launch a new Pattern of regional development cooperation involving the development of the Mekong Basin, the establishment of a rail link running from Singapore through Kuala Lumpur, Bangkok and on to Kunming and a network of 91, pipelines linking the ASEAN Countries. The Summit elevated functional cooperation to a higher plane and called for the further strengthening of the ASEAN identity, spirit and sense of community. Focusing on the theme "Greater Economic Integration" the Summit resulted in the acceleration and deepening of the commitments under AFTA, expansion of ASEAN economic cooperation in new Sectors, as well as increased linkages with other countries in Southeast Asia. The Foreign Ministers looked forward to the convening of the Informal Meeting of the ASEAN Heads of Government to be held in Indonesia in December 1996 as agreed upon in the Fifth Summit.

3. The Foreign Ministers accepted the formal applications of Cambodia and Laos to become members of ASEAN in 1997; they also granted Observer status of ASEAN to Myanmar; thereby, the vision of ASEAN's founders of all ten Southeast Asian countries living in harmony under a single root come closer to realization. In this connection, the Ministers reiterated their continued determination to enhance cooperation with Cambodia, Laos and Myanmar to assist them in preparing for their eventual membership in ASEAN.

POLITICAL AND SECURITY COOPERATION

4. The Foreign Ministers noted the increasingly important role of ASEAN in the maintenance of peace, stability and prosperity in the Asia and Pacific region. In this regard, they reaffirmed their commitment to working closely with others, particularly with ASEAN's Dialogue Partners and Observers.

5. The Foreign Ministers welcomed China, India and Russia as the new Dialogue Partners of ASEAN. The Ministers looked forward to the broadening of the scope and intensity of cooperation between ASEAN and its three new dialogue partners.

6. In reviewing the development of the ASEAN Regional Forum (ARF), the Ministers expressed satisfaction with the progress made thus far through Track One as well as Track Two activities, in promoting confidence-building measures among its participants. They also took cognizance of the increasing degree of comfort in the interactions among the ARF participants, demonstrating that ARF is Chairman's Paper on Criteria for Participation in the ARF would reinforce the foundation of the ARF process. Conscious of the increasingly significant role of the ARF in the maintenance of peace and stability in the region, the Ministers reiterated that ASEAN should continue to be the driving force of this forum.

7. The Foreign Ministers noted with satisfaction the closer cooperative relations between ASEAN and non-governmental bodies such as the ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS) and the Council for Security and Cooperation in the Asia Pacific (CSCAP). They also noted that these bodies had continued to provide ASEAN with useful ideas and proposals with regard to political and security cooperation in the region.

8. The Foreign Ministers noted with satisfaction the progress made in the implementation of ASEAN's "Programme of Action on ZOPFAN". In this regard, the Foreign Ministers cited the signing of the SEANWFZ Treaty by all Heads of Government of Southeast Asian countries on 15 December 1995 as another contribution of the countries of Southeast Asia to the strengthening of the security of the region and to the maintenance of world peace and stability. In this connection they stressed the importance of expediting the process of ratification of the Treaty by the signatory states so

that it will be completed, if possible, before the Informal ASEAN Summit in Indonesia In December 1996. For the effectiveness of the Treaty, they reiterated their call on all nuclear weapons states to extend their cooperation by acceding to the Protocol of the Treaty. They agreed that the review process of the Protocol as agreed by the Fifth Meeting of the ASEAN Summit should commence Immediately, They also agreed to consider tabling a draft resolution on the SEANWFZ Treaty in the United Nations General Assembly at an appropriate time.

9. Aware of the increasing interest of non-Southeast Asian states to associate themselves with the Treaty of Amity and Cooperation in Southeast Asia (TAC), the Foreign Ministers agreed to expedite the work on the appropriate modality for association.

10. The Foreign Ministers had a wide-ranging exchange of views on the current regional and International situations. They noted that the political and security situation In the Asia Pacific region was relatively stable and peaceful. They expressed their belief that the relative peace and stability in the region could be largely attributed to the endeavours of ASEAN to cultivate the habits of dialogue, consensus and cooperation among the countries in the region and to encourage the solution of disputes through negotiations and other peaceful means. However, they acknowledged that tensions exist In the region as well as in other parts of the world In the face of longstanding disputes which, if not successfully managed, could erupt into conflicts that could threaten regional as well as international stability.

11. The Foreign Ministers expressed their concern over the situation in the South China Sea, and stressed that several outstanding Issues remain a major concern for ASEAN. In the spirit of the Manila Declaration on the South China Sea, the Ministers called for the peaceful resolution of the dispute and self-restraint by parties concerned. The Ministers were pleased to observe, however, that the parties concerned have expressed their willingness to resolve the problem by peaceful means In accordance with recognized international law in general and the UNCLOS of 1982 in particular. The Ministers also reiterated the significance of the on-going informal workshop series on Managing Potential Conflict in the South China Sea, and welcomed the continuing bilateral cooperation and discussions among the claimant countries. They endorsed the Idea of concluding a regional code of conduct in the South China Sea which will lay the foundation for long term stability in the area and foster understanding among claimant countries.

12. The Foreign Ministers stressed the Importance of freedom of navigation and aviation in the South China Sea.

13. The Foreign Ministers discussed the Situation in the Korean Peninsula. They reiterated their belief that the resumption of dialogue between the Democratic People's Republic of Korea and the Republic of Korea was extremely Important for peace and security on the Korean Peninsula. The Ministers emphasized the need to establish a peace mechanism and also emphasised that the 1953 Armistice Agreement until then should remain valid, They noted the significant role of Korean Peninsula Energy Development Organisation (KEDO) in the framework of the resolution of the nuclear issue in the region.

14. The Foreign Ministers on the one hand welcomed the progress achieved in the Middle East peace process since August last year, in particular in the implementation of the PLO-Israeli Declaration of Principles on Interim Self Government Arrangement of 1993 as well as the Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip of 28 September 1995, the first Palestinian elections on 20 January 1996 and the beginning of the final status negotiations between the Palestinians and the Israelis in Taba In May 1996, On the other hand, the Ministers viewed with concern the current critical phase of the Middle East peace process following the recent general elections in Israel. In this regard, they stressed the importance of continuing the peace process to restore the rights of the Palestinians, the return of the occupied Arab territories, as well as ensuring balanced and equal security in the region, consistent with the principles agreed upon at the Madrid Conference of 1991, particularly the reciprocal principle of land-for-peace, and the assurance given to all parties.

15. The Foreign Ministers welcomed the Dayton Peace Accord and the signing, on 14 December 1995 at the Paris Peace Conference, of the General Framework Agreement for Peace in Bosnia-Herzegovina by the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia and the other parties thereto. In this regard, they also welcomed the International "train and equip" programme for the Army of the Federation of Bosnia-Herzegovina in order to establish a military balance In the country and ensure enduring peace and stability in Bosnia-Herzegovina, The Ministers recognized the challenges attendant to the implementation of the Agreement and in this regard underlined the importance of full compliance by the parties concerned with the provisions of the Agreement. They emphasized the need for the parties and all States to cooperate with the International Tribunal for the former Yugoslavia and its organs In the discharge Of their mandate. In this regard, the Ministers supported the International call for the arrest of those who have been indicted for war crimes, and their removal from Bosnia-Herzegovina as an Important

condition for the full implementation of the Dayton Peace Accord. The Ministers also stressed the importance of the creation of conditions necessary to the reconstruction and development of Bosnia-Herzegovina and the support of the international community in this regard. They paid tribute to the women and men of UNPROFOR and IFOR for their services to the cause of peace in the former Yugoslavia.

16. The Foreign Ministers were encouraged by the successful outcome of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries In Cartagena hold on 18-20 October 1995. They reaffirmed their conviction that the fundamental principles of the Non-Aligned Movement continue to be valid under current circumstances. They emphasized, in particular, the commitment adopted by the Movement to work towards cooperation and and a sense of full partnership In the International field, for the promotion of peace and and economic development, In this regard, they commended the constructive approaches by the Movement to promote Its objectives through dialogue on the basis of mutual interest and benefit, genuine interdependence and shared responsibility.

17. The Foreign Ministers welcomed the establishment of the UN Trust Fund for South-South Cooperation and urged donor countries to land their full support for such a fund. In this context, they emphasized the importance of the speedy Implementation of the decision by the Non-Aligned Summit In Cartagena on 18-20 October 1995 to establish the NAM Centre for South-South Technical Cooperation in Indonesia and recognized that its activities would complement those of the UN Trust Fund for South-South Cooperation. The Ministers reiterated the vital role of collective self-reliance for promoting and accelerating development in a world economy undergoing fundamental change.

18. The Foreign Ministers emphasized the importance of full and effective implementation of the Nuclear Non-Proliferation Treaty (NPT) in promoting International peace and security. Bearing in mind the objective of general and complete disarmament as set out In the Treaty, the Foreign Ministers while noting the outcome of the 1995 Review and Extension Conference of the Parties to the NPT, stressed the need for all State Parties to strive to achieve the objectives set out in the Final Document of that Conference. In this regard, the Foreign Ministers called on the nuclear weapons states to refrain from conducting nuclear weapons tests and the Conference on Disarmament to conclude the negotiation on the Comprehensive Test Ban Treaty in 1996. The Foreign Ministers emphasized further the importance of convening the Fourth United Nations Special Session Devoted to Disarmament before the turn of the century to set the future course of actions in the field of disarmament and related security matters. The Foreign Ministers expressed the hope for the conclusion of the International Convention on the Prohibition of Use and Threat of Use of Nuclear Weapons and the International Convention Against the Production and Stockpiling of Fissile Materials. In this context, they emphasized the importance of multilaterallism in the process of disarmament and the historical significance of the Final Document of SSOD 1, including the principles, guidelines and priorities envisaged thorein, as well as the need to preserve and build upon its achievements.

19. The Foreign Ministers reiterated the importance of reforming and restructuring the United Nations including the Security Council so as to democratize its workings and to strengthen its effectiveness. In this context, they reaffirmed the role of the General Assembly as the highest deliberative and decision-making organ of the UN system, stressed the importance of the work of various open- ended working groups to enhance the effectiveness of the Organization, including the Open-ended Working Group on the Question of Equitable Representation on and increase in the Membership of the Security Council and Other Matters Related to the Security Council and the Open-ended Working Group on the Strengthening of the United Nations System. They welcomed the significant measures that have been adopted to revitalize the General Assembly, including the decision to continue using existing mechanisms and establishing new bodies as deemed necessary and affirmed that these measures should be fully Implemented. Furthermore they underlined the need to establish more effective relations between the General Assembly and the Security Council on the basis of greater accountability by the Council to the General Assembly. They also attached the highest priority to reforming the UN in the economic, social and related fields in order to effectively meet the challenges and development priorities of developing countries in this area of globalisation.

20. The Foreign Ministers expressed their satisfaction over the significant contribution made by the countries of origin, the countries of first asylum, and the countries of resettlement toward the conclusion of the CPA on 30 June 1996. They noted, however, the fact that there are still sizable numbers of remaining boat people in some first asylum countries who have not been repatriated or resettled, thus requiring further common efforts and cooperation for their immediate repatriation. The Foreign Ministers welcomed the continued coordination between the first asylum countries and countries of origin as well as relevant International organizations and donor countries in completing the repatriation of the remaining non-refugees from the first asylum camps in the region and their reintegration in the countries of origin.

ECONOMIC COOPERATION

Progress on AFTA and other related issues

21. The Foreign Ministers were pleased to note the rapid increase of 21% in Intra-ASEAN exports of CEPT products in 1995, that is from US\$ 49.1 billion in 1994 to US\$ 59.3 billion in 1995. The Ministers also noted with satisfaction the progress made on the decision of the 5th ASEAN Summit in Bangkok to accelerate the CEPT-AFTA whereby tariffs of items in the CEPT Inclusion List will be reduced to the 0 - 5 % range by the year 2000, thus enabling ASEAN to achieve the AFTA even before the target date of 2003. The Foreign Ministers noted that for new members, the schedule for the implementation of CEPT for AFRA will be carried out in accordance with the agreement and commitment between ASEAN and new members.

22. The Foreign Ministers noted with satisfaction the substantial progress made in the negotiations to liberalise trade in unprocessed agricultural products and welcomed the decision to phase-in these products into the CEPT Scheme by the year 2010. The Ministers encouraged Member Countries to intensify their efforts to realise this decision.

23. The Foreign Ministers called for continued efforts to reduce the impediments to trade and investment in ASEAN. The Ministers were pleased to note that customs surcharges affecting Identified CEPT products will be removed by 1996 and called upon Member Countries to intensify their efforts to eliminate Non-Tariff Barriers. The Ministers also noted with satisfaction the rapid developments made in customs cooperation to support AFTA especially the establishment of the Green Lane system for CEPT products which shall expedite the customs clearance for these products. The Ministers welcomed the decision for ASEAN to come up with an Agreement on Customs which will enhance regional cooperation in customs. They expressed optimism that trade facilitation measures under AFTA as provided in the Agreement particularly the harmonization of tariff nomenclature, Customs procedures and customs valuation would be fully implemented.

24. The Foreign Ministers called for the active participation of the private sector in ASEAN economic cooperation programmes and activities and to take advantage of the business opportunities arising therefrom. They encouraged the private sector to come up with specific proposals especially those pertaining to trade facilitation measures, SME development programmes, industry-specific projects and promotion-oriented activities.

25. The Foreign Ministers noted the progress made in the areas of food, Agriculture, Forestry, Energy, Transport and Tourism. They supported the recommendations of the ASEAN Tourism Ministers that further measures be taken to facilitate travel in ASEAN countries. In this respect, the Ministers noted that some member countries have established the special lanes for ASEAN nationals. The Ministers welcomed the decision of the 15th AMAF to continue to focus on cooperative endeavours in the seven priority areas identified in the Ministerial Understanding on ASEAN Cooperation in Food, Agriculture and Forestry. The Ministers also noted that the private sector is now more involved in cooperative efforts and activities with the signing of the MOU on ASEAN Cooperation and Joint Approaches in Agriculture and Forest Products Promotion Scheme by the AMAF in 1994. They expressed their support of the decision of the AEM to accelerate the negotiations in Services to enable ASEAN Member Countries to come up with initial commitments by September 1996.

26. The Foreign Ministers welcomed the signing of the Basic Agreement on ASEAN Industrial Cooperation (AICO) which broadens the scope of industrial cooperation in ASEAN. They expressed confidence that this new Scheme will encourage more industrial cooperation projects and further enhance the attractiveness of ASEAN as an investment site.

Facilitation of Goods In Transit

27. The Foreign Ministers shared the view that the implementation of AFTA has made much progress. They believed however that others related efforts should be undertaken by member countries to promote trade and the free movement of goods in the region. They therefore agreed to recommend to the ASEAN Heads of Government that appropriate ASEAN bodies consider additional measures for facilitation of goods in transit.

AFTA-CER Linkages

28. The Foreign Ministers noted with satisfaction the progress made in the establishment of trade and investment linkages between AFTA and countries of the Australia-New Zealand Closer Economic Relations Trade Agreement (ANZCERTA) and encouraged the establishment of such linkages with other regional groupings and trading arrangements.

WTO Ministerial Conference

29. The Foreign Ministers were pleased to note that the inaugural World Trade Organisation Ministerial Conference (MC) would be held in Singapore in December this year. The Foreign Ministers recognised the importance of the Singapore MC and reaffirmed their commitment to ensuring a substantial outcome at the MC.

30. The Foreign Ministers endorsed the position taken by the AEM regarding the framework of ASEAN's approach towards the agenda of the inaugural WTO MC in Singapore. The Foreign Ministers agreed that the Singapore MC should critically review the implementation of UR Agreements and seek a Ministerial mandate to start the preparatory work on the built-in agenda, including agriculture. The Foreign Ministers resolved that ASEAN Members should actively work towards a successful conclusion of the negotiations on basic telecommunications and maritime transport services and that other WTO Countries should be urged to also exert themselves with a view to achieving that end. The Foreign Ministers reiterated that ASEAN should oppose any attempt to include issues which were not trade-related, such as corruption and social clause, at the Singapore MC. The Ministers noted that other Issues, such as competition policy, may not be mature enough for inclusion at the MC. The Foreign Ministers also endorsed the AEM's position to oppose the inclusion of the Multilateral Agreement on Investment, as it stands, into the agenda of the Singapore MC.

East Asia Economic Caucus (EAEC)

31. The Ministers reiterated their commitment toward the early realisation of the East Asia Economic Caucus (EAEC) which will intensify economic cooperation that is mutually beneficial to its members. In this regard they were happy to note the increasing acceptance of the concept and the rationale for the establishment of such a caucus among the countries of the region.

Asia Pacific Economic Cooperation (APEC)

32. The Foreign Ministers noted that in implementing Part One of the Osaka Action Agenda, the SOM chair will furnish a report on the overall progress of collective actions and IAP preparations to the APEC Ministers In charge of trade at the Christchurch meeting which was held In July 1996. These Action Plans will be formulated in accordance with the general principles and framework of the Action Agenda so as to realize APEC's long term goal of free and open trade and investment In the region.

33. The Foreign Ministers noted that all 18 member economies of APEC have submitted their indicative Individual Action Plans (IAPS) during the APEC Senior Officials Meeting (SOM II) in Cebu City last May. The IAPs will be further refined in the coming months for submission to Ministers. These IAPs together with the report on Collective Actions will be integrated into the Manila Action Plans for APEC (MAPA 196), the document to be adopted by the APEC Ministerial Meeting in November. The Foreign Ministers noted that APEC devoted attention to part Two of the Osaka Action Agenda pertaining to the economic and technology cooperation (EcoTech), with the view to providing greater coherence and sharper focus to the activities of the Working Groups. They also noted the successful inaugural meeting of the APEC Business Advisory Council (ABAC) In Manila, which further enhanced private sector participation in the APEC process. The Foreign Ministers welcomed the convening of the APEC Business Forum (ABF) on the occasion of the APEC meetings in November 1996 as a way of highlighting and making more effective the role of the private sector In the APEC process.

34. The ASEAN Foreign Ministers expressed full support for Vietnam's request for admission into APEC when the moratorium on new membership in APEC is lifted.

ASEAN COMMON TIME ZONE

35. The Foreign Ministers welcomed the initiative of the ASEAN Economic Ministers to establish a working group to discuss the merits of the proposal of having an ASEAN Common Time Zone. The Foreign Ministers noted that while Indonesia, Thailand and Vietnam have GMT plus 7 hours, the other countries, Brunei Darussalam, Malaysia, Singapore and Philippines have GMT plus 8 hours.

FUNCTION COOPERATION

36. Pursuant to the decision of the Fifth ASEAN Summit to elevate function cooperation to a higher plane to bring shared prosperity to all members of ASEAN, the Foreign Ministers adopted the Framework for Elevating Functional Cooperation to a Higher Plane, The Framework consists of the theme "shared prosperity through human development, technological competitiveness and social cohesiveness" and six measures to guide regional cooperation In science and technology, environment, culture and information, social development, and drugs and narcotics control. The Ministers reiterated the

need to encourage the effective participation of woman and youth in all levels of development.

37. The Foreign Ministers reiterated the importance of human resources development and of further strengthening the ASEAN identity and raising ASEAN awareness towards the realisation of a caring, cohesive and technologically advanced ASEAN community. In this regard, they welcomed the establishment of the ASEAN University Network by the ASEAN Ministers Responsible for Higher Education, the initiative of the ASEAN Labour Ministers to study the feasibility of establishing an ASEAN Regional Human Resources Development Planning Centre, and the decision of the ASEAN Ministers Responsible for Information to further develop and expand the ASEANWEB and to explore the possibility of establishing an ASEAN Satellite Channel which would enable ASEAN to present its views and culture more effectively to the world,

38. The Foreign Ministers emphasized the need to strengthen the family as a foundation for a strong caring and cohesive society. They expressed their support for the efforts of the ASEAN Ministers Responsible for Social Welfare to establish an ASEAN Regional Mechanism for Family and Child Development.

39. The Foreign Ministers expressed serious concern as underlined by the ASEAN Labour Ministers that attempts to link international labour standards and international trade would undermine the economic growth of developing countries which in turn would affect the economy of developed nations. They reiterated the view that the issue of international labour standards should be discussed in the ILO and not in other non-labour related fora. The Ministers supported the decision to urge the ILO to review the International labour conventions including the so-called fundamental workers' rights conventions.

40. The Foreign Ministers noted with satisfaction the completion of the Medium Term Programme on ASEAN Science and Technology Development (1996- 2000), the Medium Term Programme on ASEAN Drug Abuse Control (1996- 1998) and the ASEAN Regional Programme on HIV/AIDS Prevention and Control (1995- 2000) which further elaborated the respective Action Plans. They supported the vigorous implementation of these programmes to help achieve the goals of a technologically competitive ASEAN, and a drug-free and healthy ASEAN.

41. The Foreign Ministers recognized the need to raise the public profile of ASEAN's activities in the scientific, environmental, narcotics control, social and cultural fields through wider publicity and agreed that valuable contributions of individuals and organizations in these areas should be properly recognized with prestigious ASEAN awards and prizes.

42. The Foreign Ministers called for greater coordination among the various sectors involved in functional cooperation and agreed to strengthen the capability and resources of the ASEAN Secretariat in this area. They stressed the need to explore various funding modalities, including cost-sharing schemes, to ensure the effective and timely implementation of priority functional cooperation programmes.

43. The Foreign Ministers noted the progress made in the setting up of ASEAN Resource Centres in the different areas in ASEAN Member Countries in accordance with the decision of the 8th ASEAN Conference on Civil Service Matters.

Transnational Issues

44. The Foreign Ministers recognized the need to focus attention on such issues as narcotics, economic crimes, including money laundering, environment and illegal migration which transcend borders and affect the lives of the people in the region. They shared the view that the management of such transnational issues is urgently called for so that they would not affect the long-term viability of ASEAN and its individual member nations. The Ministers therefore agreed that all the works and projects of the existing ASEAN bodies in these areas should be urgently reviewed and recommendations be submitted to the ASEAN Heads of Government for consideration.

ASEANWEB

45. The Foreign Ministers appreciated the initiative taken by the ASEAN Secretariat to launch the ASEANWEB on the Internet. The Ministers noted that the ASEANWEB had expanded to cover more ASEAN activities and that it had also established links to web sites in Member Countries. The Ministers encouraged all ASEAN countries to develop the ASEANWEB into an effective and useful channel of communication on all aspects of ASEAN and its activities and to make full use of it to project ASEAN more effectively.

Celebrations for ASEAN'S 30th Anniversary

46. Recognizing that the 30th Anniversary of ASEAN falls next year, the Foreign Ministers called on each Member Country to plan and organise year-long activities beginning 8 August 1997. The Ministers also called on the ASC to coordinate these activities at the national and regional levels with the participation of all the ASEAN committees and bodies.

EXTERNAL RELATIONS

Asia-Europe Meeting (ASEM)

47. The Foreign Ministers welcomed the inaugural Asia-Europe Meeting held in Bangkok on 1-2 March 1996 which successfully launched a New Asia Europe Partnership for Greater Growth. The historic Meeting, attended by the Heads of State and Government from ten Asian countries, consisting of seven ASEAN Member Countries, Japan, Republic of Korea and China, and fifteen European nations and the President of the European Commission, ushered in a new era in relations between Asia and Europe by reinforcing political dialogue at the highest level and strengthening economic links and cooperation in other areas between the two regions. The Ministers agreed to work closely to ensure that ASEAN continues to play a central role in the evolution of ASEM and the implementation of follow-up actions agreed to by ASEM. The Ministers noted that the Second and Third ASEM will be held respectively in the United Kingdom in 1998 and in the Republic of Korea in the year 2000.

Cooperation with Dialogue Partners

48. The Foreign Ministers noted that the Dialogue process has continued to be the most important aspect of ASEAN's external relations. It has provided ASEAN with opportunities to promote its common interests and engage in dialogues on both regional and global issues with some of the most important countries in the world. The Ministers expressed the hope that the achievements in this area could be sustained through increased consultations and mutual understanding.

49. The Foreign Ministers noted, in particular, that regular consultations with Dialogue Partners have facilitated greater cooperation in various areas. The Ministers called upon the Dialogue Partners to remain committed to the promotion of trade, investment, technology transfer and market access for ASEAN products. The Ministers continued to place importance on development cooperation and expressed appreciation for the continued support by the Dialogue Partners in the implementation of various development projects. They expressed ASEAN's readiness to work with Dialogue Partners in a trilateral approach to promote development cooperation with CLM countries,

50. The Foreign Ministers welcomed the Initiative of H.E. President Kim Young Sam of the Republic of Korea which led to the establishment of an ASEAN- Republic of Korea Eminent Persons Group and expressed the hope that the Group's report would contribute to a more dynamic ASEAN-Republic of Korea relations for the 21st Century. The Foreign Ministers took note with appreciation of the ASEAN- EU EPG Report.

ASEAN-Mekong Basin Development Cooperation

51. The Ministers noted the Record of the Ministerial Meeting on ASEAN- Mekong Basin Development Cooperation held in Kuala Lumpur in June 1996 and expressed their satisfaction on the progress achieved towards implementing the Fifth ASEAN Summit decision on ASEAN cooperation in the economic development of the Mekong Basin.

52. The Ministers endorsed the basic framework for the ASEAN-Mekong Basin Development Cooperation as adopted by the Kuala Lumpur meeting. They also reiterated the decision in Kuala Lumpur to open the participation in the cooperation to countries, other than the core group, which are currently engaged in development cooperation on a bilateral or multilateral basis in the Mekong Basin or have expressed interest in the ASEAN Mekong Basin Development Cooperation and to international and regional institutions which are interested or engaged in assisting development of the area.

53. They recognised the need for ASEAN countries to establish appropriate modalities for funding the cooperation and noted the agreement to establish, under the Chairmanship of Thailand, an ASEAN and Non-ASEAN Riparian States Experts Group to study the issue further and any other relevant matter connected with the mobilizing of funds and to establish, under the Chairmanship of Malaysia, a Special ASEAN and Non-ASEAN Working Group to study all the issues on the proposed railway links between Singapore and Kunming.

54. The Ministers also supported the decision of the Kuala Lumpur meeting to reconvene an annual meeting of Ministers which would be held back-to-back with the Joint Ministerial Meeting of the ASEAN Foreign and Economic Ministers prior to the ASEAN Summit Meeting and that Special Meetings of Ministers could be held, as and when necessary, and to

establish a Steering Committee for the ASEAN-Mekong Basin Development Cooperation,

Sectoral Dialogue Relations and Links With Regional Organizations

55. On ASEAN-Pakistan relations, the Ministers noted the move by the ASEAN-CCI to initiate the formation of the ASEAN-Pakistan, Business Council and called for the further strengthening of the sectoral dialogue relations. The Ministers called for continuing efforts to develop linkages and cooperation with other regional organizations mindful of the, limited resources and means available.

Annex 134

Association of Southeast Asian Nations, *Hanoi Plan of Action* (15 Dec. 1998)

1998 HA NOI PLAN OF ACTION

Adopted by the Heads of State/Government at the 6th ASEAN Summit

in Ha noi, Viet Nam on 15 December 1998

[\[http://www.asean.org/687.htm\]](http://www.asean.org/687.htm)

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INTRODUCTION

The Second ASEAN Informal Summit, held in Kuala Lumpur on 15 December 1997, adopted the ASEAN Vision 2020 which sets out a broad vision for ASEAN in the year 2020: an ASEAN as a concert of Southeast Asian Nations, outward looking, living in peace, stability and prosperity, bonded together in partnership in dynamic development and in a community of caring societies.

In order to implement the long-term vision, action plans are being drawn up to realise this Vision. The Ha noi Plan of Action (HPA) is the first in a series of plans of action building up to the realisation of the goals of the Vision.

The HPA has a six-year timeframe covering the period from 1999 to 2004. The progress of its implementation shall be reviewed every three years to coincide with the ASEAN Summit Meetings.

In recognition of the need to address the current economic situation in the region, ASEAN shall implement initiatives to hasten economic recovery and address the social impact of the global economic and financial crisis. These measures reaffirm ASEAN commitments to closer regional integration and are directed at consolidating and strengthening the economic fundamentals of the Member Countries.

I. STRENGTHEN MACROECONOMIC AND FINANCIAL COOPERATION

To restore confidence, regenerate economic growth and promote regional financial stability through maintaining sound macroeconomic and financial policies as well as strengthening financial system and capital markets enhanced by closer consultations, so as to avoid future disturbances.

1.1 Maintain regional macroeconomic and financial stability.

1.1.1 Strengthen the ASEAN Surveillance Process; and

1.1.2 Structure orderly capital account liberalisation.

1.2 Strengthen financial systems.

1.2.1 Adopt and implement sound international financial practices and standards, where appropriate by 2003;

1.2.2 Coordinate supervision and efforts to strengthen financial systems;

1.2.3 Develop deep and liquid financial markets to enable governments and private firms to raise long-term financing in local currency, thereby reducing the over dependence on bank finance and limiting the risks of financial crisis;

1.2.4 Adopt and implement existing standards of disclosure and dissemination of economic and financial information; and

VII. STRENGTHEN REGIONAL PEACE AND SECURITY

- 7.1 Consolidate and strengthen ASEAN's solidarity, cohesiveness and harmony by strengthening national and regional resilience through enhanced cooperation and mutual assistance to further promote Southeast Asia as a Zone of Peace, Freedom and Neutrality.
- 7.2. Promote coherent and comprehensive programmes of bilateral and regional cooperation and technical assistance to ASEAN member states to strengthen their integration into the community of Southeast Asian nations.
- 7.3 Ratify the Second Protocol of the Treaty of Amity and Cooperation in Southeast Asia (TAC) as soon as possible.
- 7.4 Encourage and facilitate the accession by ASEAN's Dialogue Partners and other interested countries to the Treaty of Amity and Cooperation with a view to developing the TAC into a code of conduct governing relations between Southeast Asian States and those outside the region.
- 7.5 Formulate draft rules of procedure for the operations of the High Council as envisioned in TAC.
- 7.6 Encourage greater efforts towards the resolution of outstanding problems of boundaries delimitation between ASEAN member states.
- 7.7 Ensure border security and facilitate safe and convenient border crossings.
- 7.8 Encourage Member Countries to cooperate in resolving border-related problems and other matters with security implications between ASEAN member countries.
- 7.9 Promote efforts to secure acceptance by Nuclear Weapon States of the Treaty on Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ), including their early accession to the Protocol to the SEANWFZ Treaty.
- 7.10 Convene the Commission for SEANWFZ Treaty to oversee the implementation of the Treaty and ensure compliance with its provisions.
- 7.11 Support and participate actively in all efforts to achieve the objectives of general and complete disarmament, especially the non-proliferation of nuclear weapons and other weapons of mass destruction.
- 7.12 Encourage ASEAN Member Countries parties to a dispute to engage in friendly negotiation and use the bilateral and regional processes of peaceful settlement of dispute or other procedures provided for in the U.N. Charter.
- 7.13 Enhance efforts to settle disputes in the South China Sea through peaceful means among the parties concerned in accordance with universally recognized international law, including the 1982 U.N. Convention on the Law of the Sea.
- 7.14 Continue efforts to promote confidence-building measures in the South China Sea between and among parties concerned.

7.15 Encourage all other parties concerned to subscribe to the ASEAN Declaration on the South China Sea.

7.16 Promote efforts to establish a regional code of conduct in the South China Sea among the parties directly concerned.

7.17 Intensify intra-ASEAN security cooperation through existing mechanisms among foreign affairs and defense officials.

VIII. ENHANCE ASEAN'S ROLE AS AN EFFECTIVE FORCE FOR PEACE, JUSTICE, AND MODERATION IN THE ASIA-PACIFIC AND IN THE WORLD

8.1 Maintain ASEAN's chairmanship in the ASEAN Regional Forum (ARF) process.

8.2 Undertake, actively and energetically, measures to strengthen ASEAN's role as the primary driving force in the ARF, including directing the ASEAN Secretary-General to provide the necessary support and services to the ASC Chairman in coordinating ARF activities.

8.3 Formulate initiatives to advance, on a consensus basis and at a pace comfortable to all, the ARF process from its current emphasis on confidence-building to promoting preventive diplomacy.

8.4 Promote public awareness of the ARF process and the need for ASEAN's role as the primary driving force in respective ASEAN Member Countries.

8.5 Continue the involvement of ASEAN defense and security officials together with foreign affairs officials in ARF activities.

8.6 Develop a set of basic principles based on TAC as an instrument for promoting cooperative peace in the Asia-Pacific region.

8.7 Enhance consultation and coordination of ASEAN positions at the United Nations and other international fora.

8.8 Revitalize ASEAN's relations with Dialogue Partners on the basis of equality, non-discrimination and mutual benefit.

IX. PROMOTE ASEAN AWARENESS AND ITS STANDING IN THE INTERNATIONAL COMMUNITY

9.1 Support the activities of the ASEAN Foundation and other available resources and mechanisms to promote ASEAN awareness among its people.

9.2 Launch, within ASEAN's existing resources, a concerted communications programme to promote ASEAN's standing in the international community and strengthen confidence in ASEAN as an ideal place for investment, trade and tourism.

9.3 Establish and operate an ASEAN satellite channel by year 2000.

Annex 135

Association of Southeast Asian Nations, *Joint Communiqué: 32nd ASEAN Ministerial Meeting* (24 July 1999)

Joint Communique The 32nd ASEAN Ministerial Meeting (AMM) Singapore, 23-24 July 1999

1. We, the Foreign Ministers of the ten ASEAN countries, met in Singapore from 23–24 July 1999 and renewed our commitment to work together to meet the challenges of a region undergoing significant political and economic changes.
2. We warmly welcomed Cambodia's participation for the first time in the ASEAN Ministerial Meeting (AMM), following the special ceremony in Hanoi on 30 April 1999. This is a milestone in ASEAN's evolution and a fulfilment of the vision of ASEAN's founding fathers. All Southeast Asians are now part of a single community. We reaffirmed our commitment to assist Cambodia's integration into ASEAN while preparing for the next phase of ASEAN's development.
3. In the face of new challenges as well as opportunities, we the ASEAN Ten are confident of overcoming our current difficulties because we are all united in our aim of strengthening ASEAN. ASEAN's fundamental role in managing diversity and differences in Southeast Asia is as important today as when ASEAN was formed in 1967. We have now entered a period of consolidation and rebuilding which would undoubtedly reinforce our foundations and set the stage for the emergence of a stronger ASEAN. With these challenges in mind, we unanimously reaffirmed the relevance and value of ASEAN to all our countries and renewed our determination to strengthen ASEAN.
4. The 6th ASEAN Summit held in Hanoi in December 1998 was a key turning point in the process of ASEAN's recovery and consolidation. The Hanoi Declaration (HD) and the Hanoi Plan of Action (HPA) have taken ASEAN closer towards realising the ASEAN Vision 2020 adopted by our Leaders in 1997. In Hanoi, the ASEAN Leaders decided to strengthen regional co-operation and ASEAN unity and reaffirmed their commitment to keep ASEAN open to trade and investment. We reiterated ASEAN's determination to fully implement the Leaders' decisions on accelerating the ASEAN Free Trade Area (AFTA) and the ASEAN Investment Area (AIA). We would promote to the international community the set of Bold Measures adopted by the ASEAN Leaders at the Hanoi Summit in December 1998. We highlighted the significance of the decision of the Leaders of ASEAN and China, Japan and ROK to regularise the ASEAN+3 Summits. It underscored their confidence in ASEAN as a dynamic and resilient organisation.

ASEAN FOREIGN MINISTERS' RETREAT

5. We held for the first time a Retreat of the ASEAN Foreign Ministers. The Retreat provided an opportunity for all ten ASEAN Foreign Ministers to hold frank and wide-ranging discussions on the future of ASEAN, the ASEAN Regional Forum (ARF) and ASEAN's dialogue relationships. The Retreat is part of a continuous process of serious re-examination of the longer-term issues facing ASEAN. We are committed to continually shaping an ASEAN that is attuned to the challenges of the times. ASEAN will continue to play a key role in the region.

6. We discussed the far-reaching effects of the financial crisis. We believe that ASEAN had taken a series of significant steps that would set us on the path to economic recovery. The economic outlook for the region had improved. Although there were still uncertainties, there were early signs of economic recovery. We acknowledged that more had to be done to sustain the recovery process and renewed our commitment to continue undertaking the necessary policy adjustment and structural reforms, and to expedite efforts in the reform of the international financial architecture.

7. In discussing the future direction of ASEAN, we focussed on the challenges confronting ASEAN which could undermine ASEAN's image. We stressed the need to remain dynamic and adapt to changes in the external environment. We reaffirmed the fundamental principles of ASEAN and the importance of working together to strengthen ASEAN in order to face up to the challenges ahead. In the long term, the realisation of ASEAN Ten will strengthen regional resilience.

8. We discussed the issues facing ASEAN and its Dialogue Partners. Over the years, changes had taken place in our dialogue relationships. However, we recognised the unique role of the Post-Ministerial Conferences (PMC) and Dialogue Partnerships in managing the broad co-operative relationships. We renewed our commitment to reinvigorate and intensify our dialogue relationships.

9. We reviewed the development of the ARF and discussed its future direction. For a regional political and security forum that groups very diverse countries and major powers, the ARF had made significant progress during the past five years. We noted with satisfaction that the ARF, through the active contributions of all ARF countries, had become the key forum for political and security dialogue and co-operation in the Asia-Pacific region. We are committed to strengthening ASEAN's role as the primary driving force of the ARF process. We noted that the ASEAN officials are preparing a paper on the concept and principles of Preventive Diplomacy for discussion by the ARF Intersessional Support Group on Confidence-Building Measures (ISG on CBMs) during the next intersessional year. We stressed the importance of enhancing the ARF's relevance and effectiveness in addressing the challenges faced by the region amidst the changing political and security environment. We also stressed the importance of moving the ARF process forward at a pace comfortable to all participants and on the basis of consensus.

JOINT ASEAN ROADSHOWS

10. We welcomed the idea of Joint ASEAN Roadshows proposed by Prime Minister Goh Chok Tong of Singapore to market ASEAN as a joint investment area to our major investors. This represents a concrete and concerted effort to advance our common interests and underscores our resolve to work together to restore ASEAN's economic dynamism. We commended the proposal for further action by the 31st ASEAN Economic Ministers (AEM) Meeting.

IMPLEMENTATION OF THE DECISIONS OF THE 6TH ASEAN SUMMIT

11. We agreed to hasten the implementation of the set of specific directives in the Hanoi Plan of Action to guide ASEAN activities over the next six years. This would speed up regional integration, mitigate the social impact of the global financial turmoil, deal with environmental issues and other transnational problems, and intensify international awareness of ASEAN. Significant advances had already been made by ASEAN Ministerial fora, Committees, the ASEAN Secretariat, and other ASEAN bodies. We noted that a review of progress would be made at the 7th ASEAN Summit in the year 2001.

12. We had a useful discussion on the preparations for the 3rd Informal ASEAN Summit to be held in Manila in November 1999 and endorsed the Special Joint Ministerial Meeting before the Summit involving the ASEAN Foreign, Economic and Finance Ministers.

ECONOMIC CO-OPERATION

13. Following the Framework Agreement on the AIA signed by the ASEAN Economic Ministers in the Philippines in October 1998, the first AIA Council Meeting was held in Phuket in March 1999. The AIA would link the ASEAN economies more strongly together by extending national treatment to ASEAN investments in the manufacturing sector. We would actively support the joint promotion of investments in ASEAN as envisioned in the AIA.

14. In response to the rapid changes in the global financial environment, and the risk of contagion, the ASEAN Finance Ministries and Central Banks have strengthened their co-operation and consultations. The ASEAN Surveillance Process (ASP) was established to encourage peer reviews and share experiences on policy challenges facing our respective economies, in order to enhance macroeconomic and financial stability in the region. Development of work programmes to implement the finance-related activities of the Hanoi Plan of Action is currently underway.

15. Steady progress had been made in formulating the implementing Protocols for the ASEAN Framework Agreement on the Facilitation of Goods in Transit. This would enable efficient transportation of goods in the region, support the implementation of the AFTA and further integrate the region's economies.

16. We welcomed the ASEAN initiatives towards the establishment of an ASEAN Food Security Information System and collaborative research to develop new and improved production, post-harvest and processing technologies. We also noted the continuing efforts to enhance the marketability of ASEAN food, agriculture and forest products and commodities through harmonisation, adoption and implementation of quality standards and regulations.

17. We welcomed the inauguration of the ASEAN Centre for Energy in January 1999 and the adoption of the ASEAN Plan of Action for Energy Co-operation 1999–2004 by the ASEAN Ministers of Energy in July 1999 which would move forward the early realisation of the Trans-ASEAN energy network.

18. We hoped that efforts be further intensified to promote the development of the Mekong Basin, and that the implementation of projects and programmes in this framework be expedited accordingly. To this end, it is important to convene as soon as possible, the ASEAN-Mekong Basin Development Co-operation (AMB-DC) Ministerial Meeting.

19. We would intensify efforts to develop the human potential, the natural resources and the infrastructure linkages of the Greater Mekong Sub-Region, including the development of less developed inter-state areas along the West-East Corridor (WEC), the Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA), the Indonesia-Malaysia-Singapore Growth Triangle (IMS-GT), and the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT). Co-operation initiatives at the sub-regional levels would further enhance growth opportunities and expedite the region's economic recovery progress.

POLITICAL AND SECURITY CO-OPERATION

20. We welcomed the progress made by the High Contracting Parties in ratifying the Second Protocol to the Treaty of Amity and Co-operation in Southeast Asia (TAC). We reiterated our call for extra-regional states, particularly the major powers, to accede to the TAC to reinforce its continuing relevance as the basis for a framework governing inter-state relations in the region and allowing ASEAN to maintain peace and stability in the region. This would be further reinforced once the Second Protocol comes into force.

21. The ASEAN Foreign Ministers convened, for the first time, the Commission of the Southeast Asia Nuclear Weapon-Free Zone Treaty (SEANWFZ). This is the first concrete step towards the implementation of the Treaty. The Commission directed its Executive Committee to prepare the draft rules of procedure and to initiate all necessary actions to ensure compliance with the Treaty, including consultations with the Nuclear Weapon States and International Atomic Energy Agency (IAEA) and other related bodies.

22. We noted the consultations which had taken place between the ASEAN SOM Working Group on the Zone of Peace, Freedom and Neutrality (ZOPFAN) and SEANWFZ and the Nuclear Weapon States and urged the Nuclear Weapon States to accede to the Protocol to the SEANWFZ Treaty as another means of enhancing the regional security environment.

23. Positive progress had been made in the various ARF activities at both Track I and Track II levels, including the constructive contribution of defence and military officials. We assessed that the Intersessional Support Group on Confidence Building Measures (ISG on CBMs), the Intersessional Meeting on Disaster Relief, Intersessional Meeting on Peacekeeping Operations, and other activities under their auspices had contributed substantially to the furthering of the ARF process, through the promotion of mutual understanding and a mindset of cooperation. While recognising that the implementation of CBMs continued to be the focus of ARF, we noted the importance of advancing the ARF process on the basis of principles agreed, and in this context supported the recommendation of the ISG on CBMs to discuss the concept and principles of Preventive Diplomacy (PD) and to further explore the areas of overlap between CBMs and PD in the next intersessional year. We also encouraged increased interface between Track I and Track II and continued active participation by defence and military officials in ARF activities.

ASEAN FUNCTIONAL CO-OPERATION

24. We discussed ASEAN functional co-operation and its part in preparing ASEAN to meet the challenges of the future. We noted the progress made over the past year as recorded in the ASEAN Standing Committee (ASC) Annual Report and commended the efforts made by the functional committees to work out strategies for coping with the impact of the regional crisis in their respective areas.

25. Economic growth is sustainable only if the environment is cared for. The atmosphere and the marine environment can be protected only through regional action. The ASEAN Regional Center for Biodiversity Conservation has started operations and a network of National Biodiversity Reference Units among all ASEAN member-countries has been set up to strengthen regional co-operation in biodiversity conservation. We welcomed the initiative to develop ASEAN Criteria and Indicators for Sustainable Forest Management in the region. We also appreciated the active participation of ASEAN Member Countries in meeting the objectives and recommendations for population and sustainable development contained in the Bali Declaration.

26. We recalled the ravages wrought by the land and forest fires in parts of Southeast Asia on the health and livelihood of people and on the growth of the economies of the area in the past two years. In this connection, we fully supported the work of the Haze Technical Task Force of the ASEAN Senior Officials on the Environment (ASOEN) in monitoring, combating and preventing land and forest fires and mitigating their effects. We appreciated the support extended by the Asian Development Bank, the United Nations Environmental Programme, and the governments of Australia, Canada, and the United States. We urged the international community to continue its support.

27. Recalling our earlier decision to co-operate in ensuring the conservation and sustainability of water resources, we commended the ASOEN for taking concrete steps to pursue this initiative. We welcomed the proposed establishment of an ASEAN Network of Water Resource Agencies (ANWRA), which is expected to contribute to the realisation of ASEAN regional water conservation programme embodied in the Hanoi

Plan of Action (HPA).

28. Science & Technology co-operation had been enhanced with the development of a dynamic and responsive set of strategies to encourage intra-ASEAN cooperation and collaboration with dialogue partners and the private sector. The ASEAN Committee on Science and Technology (COST) had undertaken a project entitled ASEAN Science and Technology Network (ASTNET) to facilitate information exchange between ASEAN and international science & technology organisations and to serve as an information resource and link to the business sector.

29. We stressed the urgent need to strengthen the regional capacity to combat transnational crime. The ASEAN Ministerial Meeting on Transnational Crime held in Yangon last month had initiated a regional plan of action to combat such crimes as illicit drug trafficking, money laundering, terrorism, piracy, arms smuggling and trafficking in persons and agreed in principle to establish the ASEAN Centre for Combating Transnational Crime (ACTC). We reaffirmed ASEAN's commitment to the Joint Declaration for a Drug-Free ASEAN, signed at the 31st AMM in Manila, and called for the support of the international community for the implementation of ASEAN drug control programmes.

30. The ASEAN University Network (AUN) had progressed in its work in promoting student and faculty exchanges, ASEAN studies and collaborative research. In connection with ASEAN's educational goals, we welcomed the implementation of the Singapore Scholarship launched during the 6th ASEAN Summit.

31. We reaffirmed ASEAN's policy of ensuring that the poor, the disadvantaged, and other vulnerable sectors of society, including women and children, are not harmed or neglected in the effort to promote economic growth. We stressed the crucial role of women in economic recovery programmes. It is important to focus on the social impact of the crisis and to expand social programmes in times of difficulty. We welcomed the adoption of the regional plans of action on health and nutrition, tuberculosis control and disease surveillance to assist ASEAN in addressing priorities in the areas of nutrition promotion, new, emerging and re-emerging diseases, environmental health, food and drugs safety and disability.

32. We welcomed the Action Plan and Work Programme of the ASEAN Task Force on Social Safety Nets, which aims to strengthen the capacity of ASEAN countries for developing and implementing social services for the poor and the disadvantaged. We recognised the importance of developing strategies aimed at coordinating, developing and implementing regional activities concerning Social Safety Nets. We supported the sharing of knowledge, experience, expertise and best practices in designing immediate and long-term social safety nets, as called for in the Action Plan. We acknowledged that alternative, creative and innovative ways and strategies have to be found in order to achieve these objectives and welcomed support and assistance from countries and multilateral institutions. To meet the short-term and long-term needs in these areas, particularly in Human Resource Development, we agreed to consider the establishment of an ASEAN Human Resource Development Fund, so as to facilitate the process of regional integration within ASEAN.

33. We welcomed the progress made in the work of the ASEAN Foundation during the past year. We noted its efforts to prepare a plan of action and a work programme focussing on the priority areas of the HPA, that are in the Foundation's mandate to promote: ASEAN awareness, people-to-people interaction, human resources development and poverty alleviation. A Workshop to formulate the Medium to Long-Term Action Plan of the Foundation was held in July this year. We urged the Board of Trustees to expedite the implementation of projects on human resources development. We also noted with appreciation the contributions by Japan and China to the Foundation and urge our Dialogue Partners and the private sector to support the Foundation.

EXTERNAL RELATIONS

34. We reaffirmed the importance of an outward-looking ASEAN, which can play a pivotal role in international fora. We appreciated the continuing support extended by the international community, particularly ASEAN's Dialogue Partners, to ASEAN's activities. We hoped that our Dialogue Partners, the international financial institutions, United Nations agencies, foundations and non-governmental organisations would collaborate with ASEAN in carrying out the co-operative measures in the HPA. We are encouraged by their participation in the ASEAN Development Co-operation Forum held in the ASEAN Secretariat in Jakarta in May 1999.

35. We reaffirmed adherence to the principle of non-discrimination in the pursuit of development co-operation in ASEAN. ASEAN's relationships with all its Dialogue Partners, as well as its co-operation with other countries and regional and international organisations are based on equality, non-interference, non-discrimination, mutual respect and mutual benefit. To ensure that ASEAN consolidates its relationships with the current Dialogue Partners, we agreed to consider new ASEAN Dialogue relationships only after July 2000.

REVIEW OF THE ROLE AND FUNCTIONS OF THE ASEAN SECRETARIAT

36. We commended the work of the Special Directors-General Working Group on the Review of the Role and Functions of the ASEAN Secretariat. With the new challenges facing ASEAN over the last few years, new demands had been placed on the ASEAN Secretariat. The rationalisation of the Secretariat's organisational structure would allow the Secretariat to be a more effective instrument in helping ASEAN prepare for the future. The completion of the Review was in line with the call in the HPA for a more responsive Secretariat.

REGIONAL AND INTERNATIONAL POLITICAL ISSUES

37. In reviewing the regional and international political situation, we reiterated our conviction that a stable, strategic relationship among the major powers, particularly China, Japan, Russia and the United States was a vital contributing factor to the peace, security, stability and prosperity of the Asia-Pacific region, especially Southeast Asia. A positive framework of relations among the major powers and their efforts in enhancing their mutual understanding and co-operation in their relations at bilateral and global levels are all the more vital, in order to ensure the continuation of the economic recovery in the region.

38. We expressed our concern over the tension that arose in the Taiwan Strait after 9 July 1999, which could seriously affect regional peace and stability and prospects for economic recovery. We hoped for a quick and peaceful return to normalcy. We reaffirmed our commitment to our "One China Policy".

39. In reviewing the situation in the South China Sea, we recognised that several issues remained a source of concern, including the overlapping and conflicting claims among the countries involved that remain unresolved. We emphasised the importance of resolving these issues in the interest of peace and stability in the region. We reiterated the need for the disputes to be settled peacefully, in accordance with the recognised principles of international law, including the 1982 United Nations Convention on the Law of the Sea, and to continue to exercise self-restraint in the conduct of activities in the South China Sea. We recalled the ASEAN Foreign Ministers' agreement in 1996 to the idea of a regional Code of Conduct which would lay the foundation for long-term stability in the area and foster understanding among claimant countries. At the 6th ASEAN Summit, the ASEAN Leaders agreed to promote efforts to establish a regional Code of Conduct in the South China Sea among the parties directly concerned. Pursuant to these agreements, we noted that as a follow-up to the ASEAN SOM recommendation in May 1999, the Philippines has submitted a draft Regional Code of Conduct for the immediate consideration of the ASEAN SOM Working Group on ZOPFAN and SEANWFZ at its next meeting. We recognised the positive contribution of the ongoing bilateral and multi-lateral consultations among the parties concerned at the intergovernmental level, the extensive consultations

at the ASEAN-China Dialogue and the regular exchange of views in the ARF, and the on-going Informal Workshops on Managing Potential Conflicts in the South China Sea and encouraged their continuance.

40. We are also concerned with developments in the Korean Peninsula and agreed that the parties involved should not adopt postures which could undermine peace and security. We reaffirmed the importance of maintaining the 1953 Armistice Agreement and the Agreed Framework and hoped that all the parties would continue dialogue with a view to establishing a permanent peace regime. We expressed support for the Four-Party Talks, the inter-Korean Dialogue, the US-DPRK negotiations and the Korean Peninsula Energy Development Organization (KEDO) in promoting peace and stability on the Korean Peninsula and as a peaceful means to advance global nuclear non-proliferation. In this regard, we noted the Republic of Korea's efforts to contribute to the stability of the Peninsula, including through the Sunshine Policy.

41. We noted with deep concern developments in Kosovo, including the humanitarian crisis, and its implications. We reaffirmed our support for the UN Charter and respect for the basic principles of international law. In this connection, we welcomed the comprehensive political settlement of the Kosovo crisis as endorsed by the United Nations Security Council Resolution S/RES/1244(1999) of 10 June 1999, and urged all parties involved to work closely with the UN in implementing the settlement.

42. We hope for a new momentum in the Middle East Peace Process and welcome the sentiments expressed by the leaders of Syria, Israel and the Palestinians to move on to a comprehensive peace in the region. We welcomed recent encouraging statements by the new Prime Minister of Israel to withdraw from Southern Lebanon within the year and to implement the Wye River Agreement in full, thus paving the way for the further return of territory to Palestine National Authority (PNA). We urged the parties concerned to implement all agreements signed and all pledges and commitments made following the Oslo Peace Accords and Madrid Conference, in particular the principle of land for peace, in due compliance with relevant United Nations Resolutions. We also called for an early resumption of negotiations between Israel, Syria, Lebanon and PNA in order to achieve a comprehensive and lasting peace in the Middle East. We called on Israel to take steps for the immediate and full cessation of the construction of the settlement at Jabel Abu Ghaneim and similar activities in the West Bank.

43. We welcomed the agreement reached by India and Pakistan to end hostilities along the Line of Control and urged both sides to resolve the dispute through dialogue.

44. We reaffirmed our support for the goals and principles of the Non-Aligned Movement (NAM). We stressed the importance of the NAM as a unifying forum not only for discussions but also co-operation among developing countries, so that they may exert a more active influence on the direction and management of world affairs. We recognised the NAM's strength as a significant leverage in negotiations vis-a-vis the developed countries on crucial political and economic issues. We emphasised the need to continue the active and collective promotion of agreed positions of the NAM members in the UN and in the international arena.

45. We exchanged views on the need to reform the UN Security Council, particularly on the aspect of representation among the developing countries. We agreed that the reform and expansion of the Security Council should be considered as a package. Any reform, however, must take into account the principle of sovereign equality of states and equitable geographical distribution. There is also the need for transparency, accountability and democratisation in the working methods and procedures of the Security Council, particularly in its decision-making process.

46. We stressed the importance for all states that have not signed or ratified the Comprehensive Test Ban

Treaty (CTBT) and the Nuclear Non-Proliferation Treaty (NPT) to do so. We urged all states to refrain from undertaking weaponisation or deploying missiles to deliver nuclear weapons, and to prevent any transfer of nuclear weapon-related materials, technology and equipment. To this end, we called for the immediate commencement and early conclusion of negotiations in the Conference on Disarmament on a treaty banning the production of fissile material for nuclear weapons purposes as an essential measure of nuclear disarmament and non-proliferation of nuclear weapons. We also called on the nuclear weapon states to make further efforts towards achieving the ultimate objective of eliminating nuclear weapons.

47. We noted the progress that has been made on the implementation of the Chemical Weapons Convention (CWC) and called on all states which had not ratified or acceded to the CWC to do so. Progress has also been made in the work on the protocol dealing with compliance and verification of the Biological Weapons Convention (BWC). To this end, we commended the work of the Ad Hoc Group of State Parties to the BWC.

48. We supported the ongoing negotiations to draft an international convention against organised transnational crime, as well as its supplementary protocols on addressing trafficking in women and children, and illegal trafficking in firearms. We urged the international community to focus its attention on the problem of transnational crime, and called on the UN to play the lead role in co-ordinating the efforts of Member States to deal with this problem.

49. We noted the entry into force of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction. We agreed to support initiatives to enhance international co-operation on demining, including training, and in the removal of unexploded ordinance as well as the rehabilitation of mine victims.

50. We recalled the decision of the 26th ASEAN Ministerial Meeting held on 23–24 July 1993 in Singapore to consider the establishment of an appropriate regional mechanism on human rights and noted the establishment of the informal non-governmental Working Group for an ASEAN Human Rights Mechanism. The Working Group and ASEAN officials have met regularly since the 29th ASEAN Ministerial Meeting in Jakarta, most recently on 22 July 1999 in Singapore. We recognised the importance of continuing these dialogues.

INTERNATIONAL ECONOMIC ISSUES

51. We welcomed the improved outlook for world output growth and noted that significant challenges remain. We called upon the major countries to address the downside risks to the world output growth and to implement appropriate macroeconomic and structural measures. We emphasised the importance of open and competitive markets to sustain growth and stability and urged further market access for ASEAN exports. We welcomed China's commitment and effort to reform the financial sector and state-owned enterprise for sustainable development, and its continued pledge not to devalue its currency. We noted the signs of imminent recovery in Japan and welcomed Japan's continued efforts in putting in place measures to stimulate domestic demand-led growth. We noted with appreciation Japan's US\$30 billion assistance to Asia through the Miyazawa initiative. We hoped the United States would direct policies at ensuring sustainable non-inflationary growth. We welcomed the launch of the Euro and looked forward to the increased role of the Euro in facilitating greater stability in international financial markets and urged Europe to implement policies to support domestic demand.

52. In this regard, we reiterated our support for the ASEAN consensus forged by the ASEAN Finance Ministers on the reform of the international financial architecture. We called for expeditious implementation of the concrete measures that have already achieved a high degree of consensus.

World Trade Organisation (WTO)

53. We looked forward to the 3rd WTO Ministerial Conference to be held in Seattle, USA on 30 November-3 December 1999. This meeting would provide an important opportunity to shape the future work programme of the WTO. We urged our officials to contribute positively towards the preparations underway in Geneva by submitting specific work proposals regarding the WTO's future work programme, with a view to the early finalisation of a substantive and balanced agenda for the Ministerial Conference.

54. We emphasised the importance of the membership of Cambodia, Laos and Vietnam in the WTO and reiterated our full support for their early admission. We urged the WTO to expedite the accession process.

Asia Pacific Economic Cooperation (APEC)

55. We are heartened by the signs of recovery in a number of APEC Members' economies but agreed that much still needs to be done to put in place measures that would facilitate a sustainable recovery. In this respect, we welcomed the significant capacity-building initiatives announced at the APEC Leaders Meeting in Kuala Lumpur last year.

56. We noted the continuous efforts to liberalise trade and investment and APEC's key role in strengthening the multilateral trading system. APEC has an important opportunity to make significant contributions to the WTO this year in the run-up to the 3rd WTO Ministerial Conference in Seattle. We pledged our support to New Zealand during its Chairmanship of APEC and expressed confidence that important outcomes would be achieved under its leadership.

Asia-Europe Meeting (ASEM)

57. We were pleased by the strong registration of continued commitment and support towards the ASEM process at the 2nd ASEM Foreign Ministers Meeting of 29 March 1999. We reaffirmed our determination to keep the ASEM process open and evolutionary. We acknowledged that changes in the global and regional landscapes of Asia and Europe had made it more important for both regions to strengthen existing co-operation, which would constitute the basis for a stable Asia-Europe new comprehensive partnership.

Annex 136

Association of Southeast Asian Nations, *Chairman's Statement: 6th Meeting of the ASEAN Regional Forum* (26 July 1999)

Chairman's Statement of the 6th Meeting of the ASEAN Regional Forum, Singapore, 26 July 1999



Chairman's Statement The Sixth Meeting of the ASEAN Regional Forum

Singapore, 26 July 1999

The Sixth Meeting of the ASEAN Regional Forum (ARF) was held in Singapore on 26 July 1999. The Meeting was chaired by H.E. Professor S Jayakumar, Minister for Foreign Affairs of Singapore. The Meeting was attended by all ARF participants. The Secretary General of ASEAN was also present.

- The Ministers welcomed Mongolia joining the 6th ARF as a new participant.
- The Ministers welcomed the admission of the Kingdom of Cambodia as a member of ASEAN, thereby realising the vision of ASEAN-10. They expressed confidence that ASEAN-10 will contribute to peace and stability in Southeast Asia.

Overview of the ARF Process

- The Ministers expressed satisfaction that the ARF has continued to serve as the key forum for political and security dialogue and co-operation in the region. They noted that since its inception in 1994, the ARF Ministers and senior officials have become more comfortable with each other through frequent interactions at the various ARF fora. Such enhanced comfort levels have enabled ARF participants to exchange views frankly on issues of common concern, thereby encouraging greater transparency and mutual understanding. The Ministers agreed to build on these strong foundations to move the process forward so that the ARF would continue to remain relevant and able to respond to the challenges posed by the changing political and security environment of the region. The Ministers noted the useful exchange of views at the lunch gathering of senior defence officials, and welcomed the continuation of this practice at future ARF Ministerial Meetings. The Ministers further noted the constructive contributions that defence and military officials have made to the ARF process and encouraged their continued participation in all relevant ARF activities.
- The Ministers emphasised that the ARF process will continue to develop at a pace that is comfortable to all participants and reaffirmed their commitment to make decisions by consensus. They noted that this has contributed to steady progress being made. The Ministers emphasised the importance of confidence building to the success of the ARF and encouraged the further development of confidence building measures (CBMs). They endorsed the recommendations of the ARF Senior Officials Meeting and the ARF Inter-sessional Support Group on Confidence Building Measures (ISG on CBMs) to discuss the concept and principles of Preventive Diplomacy and noted the common understandings reached on the four tabled proposals relating to the overlap between CBMs and Preventive Diplomacy. The Ministers noted that this was a positive step forward. The Ministers expressed their continued support for the leading role of ASEAN in the ARF process and noted with appreciation that ASEAN would be preparing the draft paper on the concept and principles of Preventive Diplomacy for discussion among

ARF members.

Highlights of Issues Discussed

- The Ministers had substantive discussions on major regional and international issues that had an impact on the regional security environment. The exchange of views was candid and focussed and helped to create better mutual understanding of the security perceptions and concerns among ARF participants.
- The Ministers, inter alia, discussed the security implications of the regional economic and financial crisis. They noted that it had a significant economic, political and security impact on the region and agreed that the ARF should continue to pay attention to the security implications of the crisis. The Ministers also noted that co-operative regional arrangements had played an important role in containing the effects of the crisis. The Ministers recognised that the strength of the regional economy would affect regional and national resilience. In this connection, they noted that the situation had stabilised as compared to last year and that the region was now beginning to recover. Nevertheless, continued restructuring and policy reform would be necessary to sustain the recovery.
- The Ministers agreed that stable relations among the major powers was an integral element underpinning regional stability. In this regard, the Ministers welcomed the regular exchanges of visits, including at the leadership level, which have contributed to stable relations among the major powers. The Ministers stressed the importance of the major powers continuing to promote dialogue and co-operation among themselves through all available modalities, including the ARF.
- The Ministers recognised that the state of relations among the major powers in the Asia-Pacific was affected by events in other regions. In this regard, the Ministers discussed developments in Kosovo/FRY. They were concerned with its wider implications. They expressed their deep regret over the loss of thousands of innocent lives. The Ministers reaffirmed their support for the UN Charter and respect for the basic principles of international law. In this connection, they welcomed the comprehensive political settlement of the Kosovo crisis as endorsed by the United Nations Security Council Resolution S/RES/1244(1999) of 10 June 1999, and urged all parties involved to work closely with the UN in implementing the settlement, which will bring to an end war crimes and crimes against humanity and permit the people of Kosovo to enjoy basic human rights within Kosovo/FRY. The Ministers also expressed their deep regret over the tragic incident involving the Chinese Embassy in Yugoslavia in early May, which had caused the loss of innocent lives and many casualties. The Ministers extended their sympathy and condolences to the Chinese people and relatives of the victims and to all the innocent victims of the Kosovo conflict.
- The Ministers recognised the Treaty of Amity and Co-operation in Southeast Asia (TAC) as a key regional instrument for strengthening security in the region. They noted that non-Southeast Asian countries, in particular the major powers, were now in the process of considering acceding to the TAC after the Second Protocol amending the TAC enters into force. This would contribute positively to the evolution of a region-wide code of conduct. The Ministers expressed support for the continuing consultations between the State Parties of the SEANWFZ (Southeast Asia Nuclear Weapon Free Zone) Treaty and the Nuclear Weapon States regarding the latter's accession to the Protocol of the Treaty. The Ministers noted that nuclear-weapon-free zones would contribute to the goal of comprehensive nuclear disarmament. In this regard, the Ministers also welcomed the United Nations General Assembly's resolution 53/77D of 4 December 1998 on Mongolia's International Security and Nuclear-Weapon-Free Status.
- The Ministers welcomed the commitment of all the countries concerned to the peaceful settlement of

disputes in the South China Sea in accordance with the recognized principles of international law and the UNCLOS. They stressed the importance of freedom of navigation in this area. The Ministers noted that some ARF countries were concerned that there could be increased tensions. They welcomed the continued exercise of self-restraint by all sides and the positive contributions made by the bilateral consultations between the countries concerned. They further welcomed the dialogue in the ASEAN-China Senior Officials Consultations, the regular exchange of views in the ARF, and the continuing work of the Informal Workshop on Managing Potential Conflicts in the South China Sea, which have enhanced confidence building. They noted that ASEAN was working on a regional Code of Conduct in the South China Sea.

- The Ministers noted that developments in the Korean Peninsula remain of concern and agreed that parties involved should not adopt policies which could undermine peace and stability. They emphasised the importance of observing the 1953 Armistice Agreement. The Ministers expressed concern over the August 1998 payload launch and other missile-related activities which could heighten tensions and have serious consequences for stability in the Korean Peninsula and the region. The Ministers supported all efforts to improve relations between the DPRK and the ROK and in this connection, noted the ROK's policy aimed at establishing a regime of peaceful co-existence with the DPRK. They welcomed the recent positive developments at the Four-Party Talks and the US-DPRK negotiations on the suspected underground facility. They also reiterated support for the Four-Party Talks and reaffirmed the importance of maintaining the 1994 Agreed Framework and implementing the Korean Peninsula Energy Development Organization (KEDO) projects.

- The Ministers emphasised the importance of systematic and progressive efforts taken by nuclear weapon states on nuclear disarmament and called on them to make further efforts towards achieving the ultimate objective of eliminating nuclear weapons. The Ministers noted that there were strong calls for all states to sign and ratify the Comprehensive Test Ban Treaty (CTBT) and to accede to the Nuclear Non-Proliferation Treaty (NPT) as soon as possible. As an essential measure of nuclear non-proliferation and disarmament, the Ministers further urged the Conference on Disarmament to immediately begin and swiftly conclude negotiations on a treaty banning the production of fissile material for nuclear weapons purposes as a matter of priority. The Ministers called on all states to exercise restraint in the development, testing and export of ballistic missiles and other delivery means of weapons of mass destruction. The Ministers also called for a speedy and successful conclusion to the negotiations on a verification protocol for the Biological Weapons Convention (BWC). The Ministers noted support for encouraging states that had tested nuclear weapons last year to exercise restraint, including by adhering to the comprehensive test ban treaty, and to revive the Lahore process.

- The Ministers noted with appreciation the entry into force of the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and their Destruction, and the convening of the First Meeting of the State Parties to the Convention held in Maputo on 3-7 May 1999. They also noted the early entry into force of the amended mines protocol (Protocol 11) of the Convention on Conventional Weapons (CCW), and efforts being made in other bodies, including the Conference on Disarmament, to complement the Ottawa Convention by engaging key non-signatories. The Ministers noted with appreciation several unilateral moratoria on the transfer and commercial export of several categories of mines. The Ministers agreed to support initiatives to enhance international co-operation on demining, the removal of unexploded ordnance and rehabilitation of victims, and commended efforts by some ARF countries to provide training and assistance on mine clearance. In this regard, they noted the efforts by the Cambodian Mine Action Centre (CMAC) and the Thailand Mine Action Centre (TMAC).

- The Ministers discussed transboundary problems that could have a significant impact on regional security. They recognised that the illegal accumulation of small arms and light weapons posed a threat to

peace and security in many regions and urged the international community to focus its attention to this problem. In view of the international conference to be convened by the UN no later than 2001, the Ministers called on member states to increase their efforts so as to enable the UN to play its leading role in dealing with the problem. The Ministers noted with concern the problem of piracy in the region and recognised that there is a need for cooperative approaches to deal with this problem. They also noted the problem of illegal migration.

Track I and II Activities for the Current and Next Inter-sessional Years

· The Ministers noted with satisfaction the successful implementation of numerous Track I and II activities for the current inter-sessional year (July 1998-July 1999). The Ministers noted the following major Track I activities:

a. Co-Chairmen's Summary Report of the two meetings of the Inter-sessional Support Group on Confidence Building Measures in Honolulu on 4-6 November 1998 and Bangkok on 3-5 March 1999.

b. Co-Chairmen's Report of the Intersessional Meeting on Disaster Relief in Moscow on 11-13 April 1999.

c. ARF Experts Group Meeting on Disaster Relief on 29 January 1999 in Bangkok.

· The Ministers commended the work of the ISG on CBMs and the ISM on Disaster Relief in furthering the ARF process. They endorsed the recommendations as contained in the above-mentioned reports and agreed that the ISM on Disaster Relief and the ISG on CBMs should continue their work for another year. In this regard, the Ministers welcomed the offers by Vietnam and Russia to co-chair the ISM on Disaster Relief and by Singapore and Japan to co-chair the ISG on CBMs for the next intersessional year. The Ministers also welcomed the production of the Annual Security Outlook (ASO) by individual participants on a voluntary basis at the Track I level for compilation without any editing by the ARF Chairman and noted that maritime co-operation would be included in the agenda of future ISG on CBMs.

· The Ministers also noted that the following Track I activities took place under the auspices of the ISG on CBMs:

a. Seminar on the Production of Defence Policy Documents in Canberra on 31 August-2 September 1998.

b. Second ARF Meeting of Heads of Defence Colleges and Institutions, in Seoul on 8-10 September 1998.

c. Symposium on Tropical Hygiene and Prevention and Treatment of Tropical Infectious Diseases, in Beijing on 25-27 November 1998.

d. ARF Professional Development Programme in Washington D.C. on 18-23 April 1999.

· The Ministers further noted that the following Track I activities took place under the auspices of the ISM on Peacekeeping Operations:

a. Workshop of Approaches to Training for Peacekeeping, in Dublin on 19-23 October 1998.

b. Training Course on Modern Peacekeeping Operations in Tokyo on 22-26 March 1999.

· The Ministers also took note of the following Track II activities:

a. ARF Workshop on Disaster Management in Bangkok on 25-28 January 1998.

b. CSCAP Seminar on Preventive Diplomacy in Bangkok on 28 Feb-2 March 1999.

c. Conference on "Towards Comprehensive Security and Cooperation in the Asia Pacific" in Vladivostok on 25-27 April 1999.

The Ministers endorsed the programme of work for the next inter-sessional year (July 1999-July 2000).

Future Direction of the ARF Process

· The Ministers confirmed that the ARF is a framework for political and security dialogue and cooperation in the region and that its discussions and activities should be focused on issues which would have significant impact on regional security. The Ministers agreed that ASEAN would remain the driving force of the ARF process and that the ARF would maintain its evolutionary approach as the process progresses from confidence building to preventive diplomacy and, as an eventual goal, the elaboration of approaches to conflict resolution. The ARF process will continue to move at a pace comfortable to all ARF participants on the basis of consensus. The Ministers recognised the importance of CBMs in enhancing confidence and trust among ARF members and agreed that the ARF should further develop and deepen co-operation on CBMs among- ARF members. They recognized that various efforts at confidence building would have an important role in facilitating the ARF process.

· The Ministers also requested the ISG on CBMs to further explore the overlap between CBMs and Preventive Diplomacy for the next inter-sessional year, focussing inter alia, on the development of the concept and principles of preventive diplomacy. In this regard, the Ministers welcomed the offer by ASEAN to prepare a paper on the concept and principles of Preventive Diplomacy for consideration by the ARF SOM at its next meeting.

Annex 137

Association of Southeast Asian Nations, *Chairman's Press Statement: 3rd Informal Summit* (28 Nov. 1999)



<http://www.asean.org/news/item/chairman-s-press-statement-on-asean-3rd-informal-summit-manila-philippines-28-november-1999>

Chairman's Press Statement on ASEAN 3rd Informal Summit Manila, Philippines, 28 November 1999

1. The 3rd informal Summit of the ASEAN Heads of State/Government was held in Manila on 28 November 1999. The meeting was chaired by H.E. President Joseph Ejercito Estrada of the Republic of the Philippines.
2. The Summit was attended by H.M. Sultan Haji Hassanal Bolkiah, Sultan of Brunei Darussalam; H.E. Hun Sen, Prime Minister of the Kingdom of Cambodia; H.E. Abdurrahman Wahid, President of the Republic of Indonesia; H.E. Sisavath Keobounphanh, Prime Minister of the Lao People's Democratic Republic; H.E. Senior General Than Shwe, Chairman of the State Peace and Development Council and Prime Minister of the Union of Myanmar; H.E. Goh Chok Tong, Prime Minister of Singapore, H.E. Chuan Leekpai, Prime Minister of Thailand; H.E. Phan Van Khai, Prime Minister of the Socialist Republic of Vietnam; and, the Honorable Datuk Seri Syed Hamid Albar of Malaysia, Special Representative of the Prime Minister of Malaysia.
3. In his welcome statement, President Estrada expressed confidence in ASEAN's ability to achieve its Vision 2020 goals of peace, stability, and prosperity for the ten countries of Southeast Asia. He called upon the member countries to learn and practice the habits of openness, just as they have mastered the ways of cooperation, to bring the ASEAN vision to reality. He called for an intensification of dialogue and cooperation between ASEAN and the countries of Northeast Asia to move the whole East Asian region to higher levels of integration and partnership.
4. The highlights of the exchange of views and the agreements during the Informal Summit are as follows:

Current Security Environment

5. The HOS/G had a useful exchange of views on current political and security developments in the region. They recognized how the evolving regional security environment during the 1990s has given rise to new forms of security challenges for ASEAN. They agreed that ASEAN should make its long-held principles and approaches more relevant to meet these new security challenges.
6. In this regard, they noted the results of the Informal retreat of the ASEAN Foreign Ministers held in Singapore in July 1,999, particularly their frank and candid discussions on the need for ASEAN to adapt to the challenges posed by its expansion, human rights, governance, and the environment. They called on the Foreign Ministers to sustain this constructive effort, guided by the larger interest of ASEAN mutual solidarity, unity, and cohesion.
7. President Abdurrahman Wahid of Indonesia briefed the Meeting on the latest developments in Aceh, Indonesia. In this connection, the HOS/G reiterated their full respect for the sovereignty and territorial integrity of the Republic of Indonesia. They expressed their support for the efforts of President Wahid toward a peaceful settlement of the situation in Aceh.
8. The HOS/G were of the view that ASEAN made a significant contribution to the progress of multilateral regional cooperation to promote security through the ASEAN Regional Forum. They agreed to complement ARF initiatives by engaging neighboring countries in East Asia to more regular summit dialogues on political and security issues.
9. The HOS/G agreed to the proposal to set up an ASEAN Troika at the ministerial level in order that ASEAN could address more effectively and cooperate more closely on issues affecting peace and stability of the region.
10. On the South China Sea, the HOS/G reaffirmed the need for a regional Code of Conduct in the South China Sea. They noted the report of the Ministers that ASEAN now has a draft regional code of conduct, and further consultations will be made on the draft with a view to advancing the process on the adoption of the Code.

Economic Resurgence, Financial Issues, and Future Competitiveness

11. The HOS/G noted the improved regional economic outlook for ASEAN this year. In welcoming this development, however, they agreed that greater vigilance in the exercise of joint efforts in various areas of common interest in the Financial and economic sector is necessary to guard against complacency and the risks that could affect the economic

recovery in Asia. As such, the HOS/G endeavored to build upon its efforts in enhancing ASEAN business environments and to promote transparency, as well as corporate and industrial governance reforms.

12. The HOS/G welcomed the successful implementation of the Bold Measures adopted at the Sixth ASEAN Summit and the steady progress of work in ASEAN economic and financial cooperation, including trade facilitation and liberalization activities. In a landmark decision, the HOS/G committed to eliminate all import duties by 2010, ahead of the original schedule, for the six original members of ASEAN. They also agreed in principle to advance the schedule from 2018 to 2015 for the new members of ASEAN, but allowing some sensitive products to follow the original date of 2018. They noted that 90 per cent of the Inclusion List of the six original signatories to the CEPT Agreement would have tariffs of 0-5% by 1 January 2000. They looked forward to further progress in the implementation of a new round of negotiations in services for which a set of parameters was recently adopted as a guide to further liberalize trade in services in ASEAN. The Leaders agreed that AFTA should actively seek inter-regional alliance with other free trade areas.

13. The HOS/G were also pleased to note that the Framework Agreement on the ASEAN Investment Area has entered into force following the ratification by all ASEAN member countries of the agreement. They also welcomed the efforts which advanced work in the ASEAN Industrial Cooperation Scheme AICO and the new initiatives that will allow for the participation of SMEs in the AICO Scheme.

14. HOS/G noted the importance of domestic and foreign investment flows in sustaining the region's economic recovery. To mobilise surplus savings and strengthen financial intermediation in ASEAN, the HOS/G tasked their Finance Ministers to develop active and deep capital markets, especially bond markets, throughout the region. This would also reduce the vulnerability of ASEAN to external shocks.

15. The HSO/G were pleased that the 1999 ASEAN Investment Report has been published to provide the public with useful analyses of the latest FDI trends and developments in ASEAN. This is one of ASEAN's deliverables for 1999, emphasizing ASEAN's resolve to improve economic transparency in the region. Transparency is one of the core elements of the ASEAN Framework Agreement on the ASEAN Investment Area and the ASEAN Agreement for the Promotion and Protection of Investment.

16. The HOS/G are pleased with the launching of the e-ASEAN as a new initiative during the 31st ASEAN Economic Ministers Meeting in Singapore in October 1999. This decision will help ASEAN improve its competitiveness in the global market. The HOS/G noted that Mr. Roberto R. Romulo had been designated to lead the high-level Public-Private Task Force on e-ASEAN which will be developing an action plan to implement the above-cited recommendations and to foster an active collaboration between the private and public sectors with the objective of evolving an ASEAN e-space. They also agreed to the establishment of free trade area (FTA) for goods, services, and investments for the info-com industries under a new e-ASEAN agreement.

17. The HOS/G agreed that ASEAN should increase connectivity each other. They noted that ASEAN's HRD efforts could be maximized through initiatives such as distance learning over the Internet, sharing of on-line library resources, and the ASEAN Education Network.

18. The HOS/G welcomed the developments in the implementation of the various finance programmes listed in the Hanoi Plan of Action. The progressive character of the discussions on the Reform of the International Financial Architecture has been duly noted by the HOS/G as positive developments that would lead up to enhancing efficiency and stability in financial markets and in promoting global economic activity.

19. The HOS/G recognised the launching of the ASEAN Surveillance Process (ASP) in March of this year as a major milestone in ASEAN financial and monetary cooperation. They likewise noted progress in the conduct of the peer review process of the economic situation in ASEAN and welcomed the support extended by the Asian Development Bank (ADB) and the United Nations Development Programme to the ASP. The HOS/G directed their respective Ministers to explore further options to strengthen regional support mechanisms.

20. The participation of the private sector was collectively acknowledged by the HOS/G as a vital element in crisis prevention and crisis resolution. As such, they encouraged private sector inputs and contributions to the various collective efforts of ASEAN. They also called for the expansion of initiatives that will further promote joint ventures and linkages among small and medium enterprises (SMEs) and large-scale enterprises (LSEs).

Social Issues Including Social Safety Nets

21. The HOS/G were pleased with the progress of work done in the implementation of ASEAN's Social Safety Net Programmes. They expressed appreciation for the support of some of ASEAN's Dialogue Partners and international organizations such as ADB, World Bank, and the IMF to these Programmes and other social development initiatives. They noted the plan to adopt the ASEAN Joint Declaration on Socially Cohesive and Caring Societies at the ASEAN Ministerial Meeting in July 2000 in Bangkok.

22. The HOS/G also welcomed the various collaborative work being undertaken by various ASEAN fora with government organizations, non-government organizations, and international organizations in the conduct of projects that will address the impact of the crisis and alleviate poverty. They likewise stressed the need to respond to other social issues affecting the elderly, women, children, and other disadvantaged sectors, including general concerns on employment, public health, and education.

23. Given these positive developments, they instructed their Ministers to explore other initiatives that would allow for greater multilateral and international support to and participation in the programmes, taking into consideration the mutual interests of ASEAN and international organizations in these areas of concern. One such initiative is in the area of HRD: a tie-up between labor-exporting and labor-importing countries to create a skills training center, in partnership with the private sector.

24. They acknowledged the effort of the ASEAN Secretariat in promoting these initiatives among ASEAN's Dialogue partners and international organizations and called for sustained effort in this regard.

25. Acknowledging the serious impact of transnational crime on peace, prosperity, the well-being of the people, and progress of ASEAN, the HOS/G committed to move forward and intensify individual and collective efforts to address transnational crime, such as drug trafficking. They noted the importance of the early establishment of the ASEAN Center for Combating Transnational Crime (ACTC) and the desirability of generating support from other international organizations and countries, including ASEAN's Dialogue Partners.

26. The HOS/G affirmed their common commitment to improving the standards of living of the people as the primary objective of all the reforms and the financial and economic cooperation activities being pursued within the ASEAN processes and framework.

The Future Direction of ASEAN

27. The HOS/G view ASEAN as progressing beyond AFTA and moving towards higher levels of economic integration as it faces the challenges of the new millennium.

28. They directed their Ministers to advance the work in this area, and report at the Informal Meeting in Singapore next year.

29. The HOS/G emphasized the importance of efforts to prepare ASEAN for the challenges of globalization. They directed the Ministers, with the assistance of the ASEAN Secretariat, to enhance the process of cross-sectoral interaction to develop greater synergy.

30. To promote extra-ASEAN relations, the HOS/G likewise directed the Ministers to identify initiatives with other multilateral organizations, regional groupings, and international organizations.

31. The HOS/G noted the convening of the Eminent Persons Group last June and welcomed its discussions on human security, regional identity and resilience, and ASEAN outreach.

32. The HOS/G welcomed the Philippine initiative to strengthen cooperation and consultation among the countries in East Asia to enhance peace, stability, and prosperity in the region. They agreed on its incorporation into the work of the East Asia Vision Group (EAVG), which shall present its report on East Asian cooperation in the 21st century at the 7th ASEAN Summit in Brunei in 2001.

International Economic Issues

33. The HOS/G looked forward to the successful conclusion of the Third WTO Ministerial Conference. They expressed optimism that this Meeting would demonstrate the WTO's relevance as a vehicle for a more open, freer, and fairer global trade and investment regime. They called for the full and effective implementation of the Uruguay Round Agreements and expressed their support to the launch of a new Round of multilateral trade negotiations.

34. The HOS/G agreed that negotiations on agriculture should aim at continuing the liberalization process of world agricultural trade, including increased market access, elimination of export subsidies and trade-distorting domestic support, taking into account the development needs of developing countries, including non-trade concerns and food security.
35. The HOS/G called for the effective implementation of the special and differential treatment for developing countries. They also underscored the importance of capacity building and technical assistance as essential elements to facilitate the full participation of these countries in the WTO.
36. The HOS/G stressed the need for a more rapid WTO accession process for Cambodia, Laos, and Vietnam. The HOS/G welcomed China's impending admission into the WTO.
37. The HOS/G noted the contributions of APEC in strengthening regional economic cooperation and welcomed the successful outcomes of the Auckland meetings. They recognized the firm direction and focus that APEC has given to economic and technical cooperation towards strengthening capacity building efforts in the region.
38. They expressed full support for the APEC chairmanship of Brunei Darussalam next year and of Thailand in 2003.
39. The HOS/G recognized the importance of strengthening collaboration with other organizations and funding institutions on health, human resources development, education, and poverty alleviation.

Annex 138

Association of Southeast Asian Nations, *Joint Communiqué: 33rd ASEAN Ministerial Meeting* (25 July 2000)

Joint Communique of The 33rd ASEAN Ministerial Meeting Bangkok, Thailand, 24-25 July 2000

1. The Foreign Ministers of the Association of Southeast Asian Nations convened at the 33rd ASEAN Ministerial Meeting in Bangkok on 24-25 July 2000 under the chairmanship of His Excellency Dr. Suri Pitsuwan, Foreign Minister of Thailand.

2. The Meeting was attended by all the Foreign Ministers of the ten ASEAN Member Countries and Papua New Guinea. The Secretary-General of ASEAN was also in attendance. The representatives of the Southern African Development Community and the United Nations Transitional Administration in East Timor were also invited as guest of the host country. His Excellency Mr. Chuan Leekpai, Prime Minister of Thailand, addressed the Ministers at the opening of the meeting.

3. The Foreign Ministers, at their meeting and at a Retreat among themselves, reviewed the situation in Southeast Asia. They concluded that ASEAN had emerged from the global and financial difficulties of 1997 and 1998 stronger and more cohesive than before. ASEAN continued to be an effective force for regional peace and stability. At the same time, the Ministers acknowledged that the regional and national measures being undertaken to make the region's economic recovery possible needed to be sustained if the recovery was to endure.

A COMPREHENSIVE DEVELOPMENT AGENDA

4. The Foreign Ministers recalled that the ASEAN Declaration was signed in Bangkok almost 33 years ago on 8 August 1967, and that the organisation had grown from the five original members to now include all the ten countries in the region.

5. The Foreign Ministers reviewed some of the issues discussed at last year's Retreat in Singapore including the need to maintain a united and relevant ASEAN, the future of the ARF and PMC, and the emerging issues affecting regional peace and stability.

6. The Foreign Ministers discussed the challenges affecting the Association, in particular the region's geo-economic realities and the effects of globalisation. The Foreign Ministers exchanged views on how a more comprehensive development agenda in strengthening national resilience could better prepare the region for the complexities and magnitude of globalisation, enhance the region's economic competitiveness and advance the creation of caring societies called for in the ASEAN Vision 2020.

7. The Foreign Ministers discussed the main elements of a more comprehensive development agenda including augmenting the process of greater outreach to the people, enhancing ASEAN's economic integration; advancing the development of ASEAN as a concert of nations; and building a community of peace.

8. The Foreign Ministers noted the importance of poverty eradication, heightening social and human resources development, promoting equitable growth, facilitating the participation of all sectors of society in community and national activities in realizing the objective of total human development. They agree to propose that a portion of the Solidarity Fund in the ASEAN Foundation be used for human resource development. They agreed that promoting a strong sense of ASEAN identity would enable ASEAN to maintain its rich cultural heritage and promote ASEAN to the outside world.

9. The Foreign Ministers expressed support for the efforts to promote the development of information technology (IT) as a tool to foster 'knowledge-based' societies in ASEAN in such areas as e-literacy, e-education, e-health and e-development.

10. The foreign Ministers underscored the need to strengthen cooperation on transnational issues affecting the region, especially those related to environment, trafficking in persons, trafficking of illicit drugs, transnational crime and HIV/AIDS.

11. While economic recovery was taking place, the Foreign Ministers noted that the situation remained volatile and stressed the need to continue the reform process, in public and private sectors, at national and international levels. While noting that existing economic co-operation programmes had achieved tangible results in integrating ASEAN economies into a unified market, the Foreign Ministers reiterated the importance of maintaining the pace of ASEAN's economic integration.

12. In order to advance the goal of ASEAN as a concert of Southeast Asian nations, and as an effective force of peace and stability in the region, the Foreign Ministers believed that it was essential to strengthen ASEAN's cohesiveness and capacity to respond effectively to developments within and outside the region. ASEAN must participate in the globalization debate in order to have a role in shaping the process. Heightened efforts would also have to be exerted to promote constructive bilateral relations and elevate ASEAN's interaction to a higher plane in the light of the increasing interdependence.

13. The Foreign Ministers noted with satisfaction, in the context of a more Comprehensive Development Agenda, the progress made by the ASEAN committees and other bodies, including the ASEAN Secretariat, in the realization of the Ha Noi Plan of Action (HPA) to implement the ASEAN Vision 2020. They expressed appreciation for the support made by Dialogue Partners, international financial and development institutions, and others in the international community to realize the HPA, and looked forward to further productive discussions.

POLITICAL AND SECURITY COOPERATION

14. The Foreign Ministers reviewed the progress of ASEAN's political and security cooperation and noted the efforts made in further strengthening intra-ASEAN relations. They shared the view that the overall security environment in the Southeast Asian region remains stable and peaceful despite the existence of certain challenges. They re-affirmed their commitment to ensuring that ASEAN continues to play a prominent role in the promotion of peace and stability in Southeast Asia and in the wider Asia-Pacific region.

15. The Foreign Ministers reiterated the importance of the Treaty of Amity and Cooperation in Southeast Asia (TAC) as a code of conduct governing relations among states in the region. They welcomed the announcement made by the Minister of Foreign Affairs of Papua New Guinea at the AMM that Papua New Guinea has now ratified the Second Protocol amending the TAC. With a majority of signatory states having now ratified the Second Protocol, the Protocol has now entered into force. In the light of this, they encouraged non-Southeast Asian states, particularly the Dialogue Partners, to accede to the TAC as an expression of their commitment to the Treaty's purposes and principles in the promotion of peace and stability. They also noted the progress being made to finalise the Draft Rules of Procedure for the High Council under the TAC, and agreed to expedite efforts in this regard.

16. The Foreign Ministers welcomed the progress made in implementing the Treaty on the Southeast Asia Nuclear-Weapon-Free Zone (SEANWFZ). They noted with satisfaction the establishment of all the various organs under the Treaty and the work undertaken by these organs, including consultations with the International Atomic Energy Agency (IAEA).

17. The Foreign Ministers urged the Nuclear-Weapon States to accede to the Protocol to the SEANWFZ Treaty at an early date. They welcomed the announcement made by China at the PMC 10+1 in Singapore in July 1999 of its readiness to accede to the Protocol, and called on the other Nuclear-Weapon States to exercise greater flexibility in the consultations on the Protocol.

18. The Foreign Ministers noted the positive development in the ASEAN Regional Forum (ARF) process, including the Intersessional Support Group on Confidence Building Measures, The Intersessional Meeting on Disaster Relief and other activities which contributed to enhancing mutual confidence and cooperation among countries in the ARF. They noted that while confidence-building measures (CBMs) remain the primary focus of the ARF process, the ARF could advance in the development of the overlap between CBMs and preventive diplomacy (PD) as well as the concepts and principles of PD. In this regard, they stressed the importance of continued participation of defence and military officials in the ARF process. They also reaffirmed ASEAN's determination to continue to be the driving force of the ARF, and its resolve to intensify consultations and promote further progress of the ARF as an effective and relevant forum for political and security dialogue and cooperation in the Asia Pacific region. The Foreign Ministers also noted with appreciation the efforts being undertaken in Track II to generate ideas to move the ARF forward, and encouraged greater interaction between the ARF and Track II fora.

19. Pursuant to the decision of the Third ASEAN Informal Summit, convened in Manila on 2 November 1999, on the proposal to set up an ASEAN Troika at the ministerial level, the Foreign Ministers approved the Paper which sets out the principles and purposes, and the procedures for the constitution of the ASEAN Troika.

REGIONAL AND INTERNATIONAL ISSUES

20. The Foreign Ministers had a wide-ranging exchange of views on current regional and international developments. They noted that the overall security environment was marked by a number of positive developments, including continued economic recovery and greater interactions and exchange between and among regional countries. They were of the view that stable relations among the major powers have been a factor contributing to these positive developments. They stressed that it was particularly important for the major powers to work together with countries of the Asia-Pacific to further enhance peace, stability and prosperity of the region.

21. The Foreign Ministers commended Indonesia for all its efforts in resolving the East Timor issue, and noted the key role of the United Nations Transitional Administration in East Timor (UNTAET) in ensuring the territory's smooth transition to full independence. They reaffirmed ASEAN's support for and encouraged the international community to remain engaged in, the process of reconciliation, rehabilitation and reconstruction that is essential for a peaceful and stable East Timor.

22. The Foreign Ministers reiterated their continuing support for the sovereignty, territorial integrity and national unity of Indonesia, which includes the Provinces of Aceh and Irian Jaya (Papua). The Foreign Ministers commended the efforts and measures taken by the Indonesian Government to restore peace and order. The Foreign Ministers reaffirmed that the stability and prosperity of Indonesia would positively contribute to the peace, stability and prosperity of the Asian region as a whole.

23. The Foreign Ministers reaffirmed their "One China" policy. On the matter of Cross-Straits relations they expressed the hope to see positive developments.

24. The Foreign Ministers welcomed progress being made towards the adoption of a Code of Conduct in the South China Sea which would be an important contribution to confidence-building and enhancing dialogue and understanding between ASEAN and China. They noted ongoing efforts by ASEAN and China, particularly the informal consultations between both sides in Hua Hin, Thailand, on 15 March 2000 and the First Meeting of the Working Group of the ASEAN-China Senior Officials Consultation on the Code of Conduct in Kuala Lumpur on 26 May 2000. They were encouraged that the Meeting in Kuala Lumpur agreed to a consolidated working draft of the Code of Conduct in the South China Sea which would provide the basis for achieving further progress in the discussions by the Working Group.

25. The Foreign Ministers, welcomed the commitment of all parties concerned to resolving disputes in the South China Sea by peaceful means in accordance with the recognized principles of international

law, including the United Nations Convention on the Law of the Sea (UNCLOS), as well as to ensure the freedom of navigation in the area. They encouraged all parties concerned to continue to exercise self-restraint in the conduct of their activities and refrain from taking any action that may disturb the peace and stability in the area. They recognized the positive contribution of the bilateral and multilateral consultations among the parties concerned at the intergovernmental level, the extensive consultations at the ASEAN-China Dialogue and the regular exchange of views in the ARF, and the ongoing Informal Workshops on Managing Potential Conflicts in the South China Sea and encouraged their continuance.

26. The Foreign Ministers reaffirmed that peace and stability in the Korean Peninsula was crucial to the security of the region as a whole. They welcomed the Summit between the leaders of the Democratic People's Republic of Korea (DPRK) and the Republic of Korea (ROK) in Pyongyang on 13-15 June 2000, and hoped that the momentum would be carried forward with a view to achieving enduring peace and stability in the Korean Peninsula and reunification of the two countries. They noted with satisfaction the efforts by the DPRK to improve relations with its neighbours, as well as ASEAN member countries, and to enhance its interaction with the wider international community. In this regard, they looked forward to the participation of the DPRK at the 7th ARF in Bangkok on 26-27 July 2000. Further, they continued to express support for the Four-Party Talks and the Korean Peninsula Energy Developer Organization (KEDO).

27. The Foreign Ministers reaffirmed their support for the Middle East Peace Process. They welcomed the decision by all parties concerned to continue negotiations at Camp David Middle East Summit, and hoped for a positive outcome. They reiterated the importance of ensuring full implementation of the pledges and commitments made at the Madrid Conference by all parties concerned. Welcoming the Sharm El Sheikh Agreement and relevant positive developments regarding the resolution of final status issues by September 2000, they also called for full implementation of all relevant United Nations Resolutions.

28. The Foreign Ministers stressed the importance of strengthening the Non-Aligned Movement in order to enable it to effectively reinforce its ability to represent the interests and aspirations of the developing world. They noted with satisfaction the successful outcome of the 13th Ministerial Conference of the Non-Aligned Movement held in Cartagena on 8-9 April 2000 and the First South Summit held in Havana on 12-14 April 2000 which, inter alia, reaffirms South-South Cooperation as an essential mechanism for promoting the sustainable economic self-support among developing countries.

29. The Foreign Ministers noted that discussions on the reform of the United Nations were still continuing. They reiterated the view that reform and expansion of the UN Security Council should be considered in tandem, with a view to enhancing the representativeness, effectiveness, transparency and accountability of the UN Security Council. They looked forward to the convening of the Millennium Summit of the United Nations on 6-8 September 2000.

30. The Foreign Ministers reiterated the importance of achieving universal adherence to the Comprehensive Nuclear Test Ban Treaty (CTBT) and the Nuclear Non-Proliferation Treaty (NPT). They welcomed the convening of the NPT Review Conference 2000 in New York on 24 April-19 May 2000 and hoped that it would create a momentum towards the implementation of concrete measures on nuclear disarmament by the Nuclear Weapon States. In this regard, the Foreign Ministers affirmed the unanimous conclusion of the Advisory Opinion of the International Court of Justice of 8 July 1996 that "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control."

31. The Foreign Ministers stressed the importance for all states which had not ratified or acceded to the Chemical Weapons Convention (CWC) to consider doing so at the earliest opportunity and noted the progress in negotiating a verification Protocol to strengthen the Biological Weapons Convention (BWC) by the Ad Hoc Group of the State Parties to the BWC.

32. The Foreign Ministers emphasized the importance of greater regional and international cooperation in dealing with the rise of transnational crime, which threatens the economic prosperity and stability of the region. They welcomed the efforts of the ASEAN Ministerial Meeting on Transnational Crime to strengthen the regional capabilities to deal with this problem and expedite the process leading to the establishment of the ASEAN Centre for Combating Transnational Crime. In this regard, they noted the progress being made towards the completion of the elaboration of the United Nations Convention against Transnational Organized Crime and its 3 additional Protocols. They also welcomed the contribution of the Asia-Pacific Ministerial Seminar on "Building Capacities for Fighting Transnational Organized Crime" held in Bangkok on 20-21 March 2000 in promoting regional cooperation on this issue.

33. In recalling the decision of the 26th ASEAN Ministerial Meeting held in Singapore on 23-24 July 1993 to consider the establishment of an appropriate regional mechanism on human rights, the Foreign Ministers noted with appreciation the consultations between the ASEAN Senior Officials and the Working Group for an ASEAN Human Rights Mechanism. They also noted the establishment of a national mechanism on human rights in some ASEAN countries.

EAST ASIA COOPERATION

34. The Foreign Ministers were gratified by the steady momentum of East Asian cooperation within the context of the ASEAN+3 forum with China, Japan and the Republic of Korea and in accordance with the Joint Statement on East Asia Cooperation, which the ASEAN+3 Leaders issued in Manila last November. They considered this process, which now includes annual summits and cooperation at various levels and in several sectors, as contributing significantly to the political and economic stability of East Asia. They noted with satisfaction the rapid growth of cooperation activities under the ASEAN+3 Framework for East Asia Cooperation, especially in trade, economic and financial cooperation.

35. The Foreign Ministers looked forward to their own meeting with the Foreign Ministers of China, Japan and the Republic of Korea on 26 July. They hoped to intensify cooperation in such areas as human resources development, science and technology, culture and information, health and transnational issues. They looked forward to exploring mechanisms and modalities for strengthening cooperation in the implementation of the Joint Statement on East Asia Cooperation as well as promoting peace and stability in East Asia.

SUSTAINABLE RECOVERY THROUGH RESILIENCE AND INTEGRATION

36. The Foreign Ministers welcomed the continued strengthening of economic recovery in the region noting that ASEAN's economy grew by 4.6% in 1999, compared to a contraction of 4.4% a year earlier and is projected to grow by 4.5-5% this year. ASEAN's exports also recovered, growing by 6.4% from US\$322.8 billion in 1998 to US\$343.4 billion in 1999. They acknowledged that much of the improvement in ASEAN's economic performance can be attributed to on-going reforms, increase in exports, return of private sector's confidence, domestic demand stimulation as well as progress made towards regional economic integration which has created an environment conducive to greater trade and investment in the region. They expressed confidence that continuation of such efforts and stable conditions would enhance regional resilience and ensure sustainable recovery.

37. The Foreign Ministers noted that advancement of ASEAN's economic integration was one of the key topics raised during the Third ASEAN Informal Summit in Manila last November, addressing such issues as acceleration of the ASEAN Free Trade Area (AFTA) and trade in services, implementation of the ASEAN Investment Area (AIA) and the ASEAN Industrial Cooperation (AICO) Scheme as well as the new "e-ASEAN initiative." Progress on financial cooperation, energy interconnections and transportation linkages were also highlighted. These and other cooperation activities being carried out serve to underline the comprehensive and steady integration of the ASEAN economies into a combined market of over 500 million people.

38. In this connection, the Foreign Ministers welcomed the idea by Prime Minister Chuan Leekpai to hold the ASEAN Trade Fair, which would help to attract increased trade into the region. The proposed ASEAN Trade Fair would be rotated among the ASEAN capitals every three years. They agreed to commend it to the relevant Ministers for consideration.

39. The Foreign Ministers recalled the decision of the ASEAN Leaders at the Third ASEAN Informal Summit to eliminate all import duties on intra-ASEAN trade by 2010 for the six original signatories to the AFTA Agreement and by 2015 for the four new signatories with some flexibility. They noted that the sensitive unprocessed agricultural products will be phased into the tariff reduction scheme beginning in 2001. The Foreign Ministers noted that a modality is being worked out to deal with countries experiencing real difficulties in meeting their obligations under theCEPT Scheme for AFTA in a manner that is consistent with AFTA and GATT rules and principles, while upholding the fundamental goal of achieving an ASEAN free trade area.

40. The Foreign Ministers welcomed the efforts made to enhance ASEAN's industrial cooperation. They recognized the key role played by SMEs in ASEAN's recovery and economic growth, and were pleased that regional cooperation in the development of SMEs sector is being actively pursued in such areas as an ASEAN SMEs database and SMEs skills development and training.

41. The Foreign Ministers were encouraged by the progress of the discussions on the liberalisation of intra-regional trade in services. They also welcomed the intensification of joint efforts to promote investments in the ASEAN Investment Area, in particular the successful conclusion of the ASEAN joint promotion missions to Japan in February 2000, and to the US and Europe in May 2000, which attracted participants from a large number of companies in various sectors, including finance and banking.

42. The Foreign Ministers were pleased to note that the Third ASEAN Informal Summit had endorsed the "e-ASEAN initiative" aimed at developing competencies among ASEAN countries in information and communications technology in order to enhance their competitiveness in the global economy. They noted the work done by the e-ASEAN Task Force in formulating the broad-based and comprehensive action plan, which includes measures to narrow the digital divide within the region. They also noted the effort to establish a free trade area for goods, services and investment for information and communications industries under a new e-ASEAN Agreement.

43. The Foreign Ministers welcomed the progress made to develop a region-wide transportation network, which will comprise 23 ASEAN highway routes, 46 shipping ports and some 30 custom airports. They also noted the progress made in the work on all the remaining implementing protocols for the ASEAN Framework Agreement on the Facilitation of Goods in Transit, as well as the draft Framework Agreement on the Facilitation of Inter-state Transport and the draft Framework Agreement on Multimodal Transport,

44. The Foreign Ministers noted with satisfaction the significant progress made in the operation of the ASEAN Surveillance Process and the strengthening of monetary and financial cooperation in East Asia which have contributed to the region's economic and financial stability. They welcomed the Chiang Mai Initiative launched by ASEAN+3 Finance Ministers in May 2000, as a start to establishing a regional financing arrangement to supplement the existing international facilities. This Initiative involves an expanded ASEAN Swap Arrangement and networks of bilateral swap and repurchase agreement facilities among ASEAN+3 countries. They looked forward to the study by the ASEAN Secretariat of other appropriate mechanisms that could enhance ability to provide sufficient and timely financial support to ensure financial stability in East Asia.

45. The Foreign Ministers noted with appreciation the efforts being undertaken to support and assist new Member Countries in their integration into the regional and global trading system, including through the promotion and development of the Mekong Basin including the West-East Corridor (WEC). In this regard, they welcomed the proclamation by ESCAP in June this year of the "Decade of the Greater Mekong Sub-region Development, 2000-2009" as a means to mobilise international support and

cooperation for the development of the region in a coherent and comprehensive manner. They were also pleased that the Second ASEAN-Mekong Basin Development Co-operation (AMBDC) Ministerial Meeting held in Ha Noi on 4 - 5 July 2000 was able to revitalize interest in the AMBDC project including the Singapore-Kunming Railway Link.

INTERNATIONAL ECONOMIC ISSUES

46. The Foreign Ministers agreed that in moving the WTO process forward, the existing Uruguay Round Agreements must be implemented, particularly those related to the use of anti-dumping and sanitary and phytosanitary measures for protectionist purposes. They called on the WTO to simplify and accelerate the accession process for Cambodia, Lao PDR and Viet Nam.

47. The Foreign Ministers renewed the ASEAN call for a wider participation of developing countries in the reform of the international financial architecture as well as the urgency in the implementation of the reform. They emphasized the need to review the rules of the international financial institutions as well as the international regulatory bodies and, if necessary, to further strengthen their capacity and capability to contain and resolve future financial crises.

ASIA PACIFIC ECONOMIC COOPERATION

48. The Foreign Ministers reiterated their support for Brunei Darussalam in preparing for and hosting the Asia Pacific Economic Cooperation (APEC) Meetings in November under the theme "Delivering to the Community". They joined Brunei Darussalam in placing particular emphasis on building capacity to both underpin the region's economic recovery and to enable all economies to take up the new opportunities arising from the information and communication technology development.

ASIA-EUROPE MEETING

49. The Foreign Ministers looked forward to a successful Third Asia-Europe Meeting (ASEM 3) to be held in Seoul on 19-21 October 2000. They expressed the hope that ASEM 3 would lay the foundation for the reinvigoration of the comprehensive Asia-Europe Partnership in the post-crisis era in order for Asia and Europe to meet new challenges more effectively. They looked forward to achieving a substantive outcome at the Meeting with a long-term vision to promote a closer relationship between the two regions.

PEOPLE ORIENTED APPROACH

50. The Foreign Ministers expressed support for the "Healthy ASEAN 2020" Vision Statement issued by the 5th ASEAN Health Ministers Meeting to strengthen ASEAN collaboration for a healthier and stronger ASEAN in the year 2020. They agreed to work towards realizing the recommendations made by the ASEAN Health Ministers at their meeting in Yogyakarta in April 2000 that the HIV/AIDS issue be included for discussion at the 4th ASEAN Informal Summit in November 2000 and that an ASEAN HIV/AIDS Summit be convened in conjunction with the 7th ASEAN Summit to be held in 2001.

51. In protecting the interest and welfare of workers facing the rapid changes brought about by globalisation, the Foreign Ministers noted with satisfaction the Vision and Mission Statement issued by the 14th ASEAN Labour Ministers' Meeting in Manila in May 2000 to forge closer regional integration for a more progressive ASEAN in the 21st Century, and to address the labour and employment priorities arising from ASEAN's recovery process. They also noted that the emphasis on training and retraining, manpower planning, strengthened tripartite consultation and greater social protection for workers will provide an enabling environment conducive to employment generation, and would greatly assist the overall regional effort to build a firmer and more balanced foundation for processing sustainable social and economic progress.

52. The Foreign Ministers noted the commitment of the ASEAN Ministers on Rural Development and Poverty Eradication to ensure that mutual learning and sharing of best practices and lessons learnt as well as delivering of social safety net measures and other measures promoting social resilience and cohesion.

in Member Countries would contribute to developing ASEAN into a community of caring societies, thus fostering greater ASEAN solidarity and advancing the goals of regional integration. They were also encouraged by its decision to promote meaningful participation of the poor and marginalised in the new global economy, especially through improved access to social services and to information technology.

53. The Foreign Ministers took note of the decision by the ASEAN Ministers for Science and Technology to augment the ASEAN Science Fund, as manifesting ASEAN's earnest commitment to support regional science and technology development and propel ASEAN as a world player into the knowledge economy of the 21st century.

54. The Foreign Ministers reaffirmed their full support for the ongoing cooperation being undertaken by the ASEAN Ministers on the Environment to strengthen regional efforts to effectively address environmental protection and sustainable development issues. They hailed the launching of the ASEAN Environment Year 2000 campaign under the theme "Our Heritage, Our Future". They noted the progress and achievements of the ASEAN Regional Centre for Bio-Diversity Conservation (ARCBC). They expressed support for the preparation of the ASEAN Framework Agreement on Access to Genetic and Biological Resources to help regulate and facilitate proper bio-prospecting endeavours in ASEAN for mutual and equitable benefits between the concerned parties.

55. The Foreign Ministers noted the efforts made in implementing the Regional Haze Action Plan, and underlined the importance of strong commitments and concerted efforts of the Haze Technical Task Force of the ASEAN Senior Officials on the Environment in dealing with the regional haze problem including formulation of an ASEAN Agreement on Transboundary Haze Pollution, establishment of the coordination and support unit for the Regional Haze Action Plan and strengthening of the capacity of ASEAN specialized Meteorological Centre in Singapore. They also expressed appreciation for the active support of the Asian Development Bank and some Dialogue Countries.

56. The Foreign Ministers took note of the threat from drug abuse and drug trafficking on the security and stability of the ASEAN region, particularly its relations with transnational crime. They urge Member Countries to enhance joint efforts among all affected states in combating the drug menace especially the newly emerging drugs like Methamphetamine or Amphetamine - Type Stimulants (ATS). In this regard, they agreed to advance the target year for realising a drug-free ASEAN from 2020 to 2015.

57. The Foreign Ministers signed the Joint Declaration for a Socially Cohesive and Caring ASEAN which embodies ASEAN's resolve to cooperate in ensuring that the people of ASEAN of all ages and groups, including the disadvantaged and the specially vulnerable, have access to opportunities to create for themselves a decent and productive life.

58. In acknowledging that the conservation and cultivation of Southeast Asia's cultural heritage are vital for binding ASEAN together and for developing among ASEAN's people a sense of their common destiny, the Foreign Ministers signed the ASEAN Declaration on Cultural Heritage.

EXTERNAL RELATIONS

59. The Foreign Ministers commended the work of the Special ASEAN Directors-General Working Group on Dialogue Relationships and endorsed their recommendations to strengthen ASEAN dialogue relations and mechanisms including the PMC process. The Foreign Ministers agreed to extend the moratorium on new dialogue partnerships to allow ASEAN to consolidate its existing dialogue relationships. Recognising the interest of other countries in establishing ties with ASEAN and in line with its outward-looking orientation, the Foreign Ministers requested the ASEAN Standing Committee to develop new modalities for cooperation.

60. The Foreign Ministers reiterated their support for Lao PDR in preparing for and hosting the 13th ASEAN-European Union Ministerial Meeting to be held later this year in Vientiane. They expressed the hope that the Meeting would help reinvigorate ASEAN-EU relations.

61. Following the first-ever ASEAN-UN Summit in Bangkok in February 2000, the foreign Minister called for greater collaboration with the UN and other international organizations, to address global issues and tap global expertise for the realisation of ASEAN goals. They also agreed on the need to further strengthen cooperation between ASEAN and ESCAP.

62. The Foreign Ministers noted the outcome of the G-8 Summit held in Okinawa, Japan on 21-22 Jul 2000. They welcomed the initiative taken by the late Prime Minister Keizo Obuchi and further pursued by Prime Minister Yoshiro Mori of Japan to invite representatives from developing countries as well as international and regional organizations to meet with G-8 leaders, as a means to strengthen North-South cooperation. They noted with appreciation that Prime Minister Chuan Leekpai of Thailand was invited to a briefing session with G-8 leaders in Tokyo on 20 July 2000 prior to the Summit, as Thailand currently held the chairmanship of the ASC and UNCTAD X.

63. The Foreign Ministers acknowledged the continued support of the Dialogue Partners, international financial institutions, United Nations agencies, foundations and non-governmental organizations in the implementation of the HPA. They pointed out that ASEAN would still require a great deal more resources and technical expertise to carry out the remaining HPA activities, including the new Member Countries economic integration in ASEAN and the development of the Mekong Sub-region.

64. The Foreign Ministers expressed hope that the Dialogue Partners would accord a high priority to supporting the recovery and growth of ASEAN by cooperating with ASEAN in trade, investment, market access, human resources development, science and technology, information technology, the environment and social and cultural development. They emphasized the importance of international and multilateral cooperation in combating transnational crimes.

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Annex 139

Association of Southeast Asian Nations, *Chairman's Statement: 7th Meeting of the ASEAN Regional Forum*
(27 July 2000)

Chairman's Statement of the 7th Meeting of ASEAN Regional Forum, Bangkok, 27 July 2000



Chairman's Statement The Seventh Meeting of the ASEAN Regional Forum

Bangkok, 27 July 2000

1. The Seventh Meeting of the ASEAN Regional Forum (ARF) was held in Bangkok on 27 July 2000. The Meeting was chaired by Dr. Surin Pitsuwan, Minister of Foreign Affairs of the Kingdom of Thailand.
2. The Meeting was attended by the Foreign Ministers of all ARF participating countries or their representatives. The Secretary- General of ASEAN was also present. The List of Delegates appears as ANNEX A.
3. The Ministers welcomed the participation for the first time of the Democratic People's Republic of Korea (DPRK) at the Seventh ARF Ministerial Meeting in Bangkok. With regard to the issue of membership, the Ministers reaffirmed the decision taken at the Fifth ARF and agreed that with the current 23 participants, the focus should now be on consolidating the process of dialogue and cooperation among the present participants of the ARF.

Overview of the ARF Process

4. The Ministers noted with satisfaction the significant progress which the ARF had made in terms of enhancing political and security dialogue and cooperation within the Asia-Pacific region. In the context of the circumstances prevailing in the region, they noted that the ARF participants were able not only to engage in a free flowing and productive exchange of views with a greater comfort level, but also to address, in a constructive manner, key political and security issues with bearing on regional -peace and stability, including new issues. that have emerged as a result of globalization. The Ministers emphasized the importance of confidence-building measures (CBMs) to the. overall ARF process and agreed that such efforts be intensified. They also welcomed the progress in the implementation of the proposals in the overlap between CBMs and Preventive Diplomacy (I'D) as well as the continued efforts to develop concept and principles of PD as to be applicable to the ARF context. In this regard, the Ministers agreed that these developments had enhanced the continuity and relevancy of the ARF process.
5. The Ministers reaffirmed that as it moved forward, the ARF should continue to develop at a pace comfortable to all participants, decision be made by consensus, and confidence-building remain key to the process. The Ministers expressed support to ASEAN in exercising its leading role in the ARF. At the same time, they also concurred that it was incumbent upon each ARF participant to contribute to advancing the ARF process.
6. In recalling the decision of the Sixth ARF in July 1999 on the overlap between CBMs and PD, the Ministers, noted the progress in the implementation of the enhanced role for the ARF Chairman in liaising with external parties and promoting interaction between Track I and Track II. The Ministers noted that as Chair of the ARF, Thailand had initiated informal contact with the United Nations, the

Organization of American States (OAS) and the Organization for Security and Cooperation in Europe (OSCE). They agreed to consider how these links could be further followed up by exchanging of information and sharing of experiences. At the same time, recognizing the contribution of non-ARF Track II activities, particularly the Council for Security Cooperation in the Asia-Pacific (CSCAP), the Ministers noted that the ARF Chair, carrying out the enhanced role, could serve as a useful channel for the ARF to draw on the resources of these Track II fora. In this regard, the Ministers welcomed the informal contact that had been established between the ARF and CSCAP through the ARF Chair. In addition, as a practical step in further enhancing the role of the ARF Chair, the Ministers agreed that the ARF Chair could serve as a conduit for information sharing in between ARF meetings, thus enabling the ARF participants to exchange information relevant to the ARF in a timely manner and on a voluntary basis.

7. The Ministers welcomed the establishment of the ARF Register of Experts/Eminent Persons to be available for use by ARF members on the voluntary basis. In proceeding on this matter, they agreed that pending further discussions and agreement on the terms of reference for the Register, the ARF participants proceed with collating nominations of experts/eminent persons for the Register on a voluntary basis with the ARF Chair serving as a focal point.

8. The Ministers welcomed the first volume of the ARF Annual Security Outlook (ASO), produced by individual participants on a voluntary basis at the Track I level and compiled without editing by the ARF Chair. They shared the view that the ASO could help promote confidence, understanding and transparency as well as facilitating the exchange of views among ARF participants. While noting the voluntary nature of the ASO, it was hoped that the production of ASO, should be an annual exercise and that the ARF participants try to further enhance the value of ASO, to the ARF process.

9. The Ministers noted the importance of the participation of defence and military officials in the ARF process. They therefore welcomed the contribution of greater and active interaction among defence and military officials towards the promotion of mutual understanding and transparency and encouraged continued participation of defence and military officials in all relevant ARF activities.

Highlights of Issues Discussed

10. The Ministers reviewed the political and security situation in the Asia-Pacific region since the Sixth ARF in July 1999 and had a substantive exchange of views on security perceptions and major political and security issues that impact on regional security environment. The discussions were conducted in an open and friendly atmosphere, thereby contributing further towards better understanding and confidence among ARF participants.

11. The Ministers shared the views that the overall security environment of the Asia-Pacific region was marked by a number of positive developments, including continued recovery from the economic and financial crisis and greater interaction and exchanges between and among countries in the region. They further noted that while the security outlook for the Asia-Pacific region remained positive, there were uncertainties and challenges which would increasingly require the attention of the ARF, particularly those posed by globalization. In this regard, the Ministers felt that it was timely that Thailand initiated the discussions on security implications of globalization, which was pertinent to the efforts within the context of the ARF. It was noted that in addressing regional security issues, the ARF should give due consideration to economic, social and human components of security, and the need to promote regional cooperation.

12. The Ministers discussed both the positive effects and the repercussions brought about by globalization, including greater economic interdependence among nations and multiplication of security

issues. It was felt that in responding to globalization, it was necessary for nations to strengthen their individual and collective capacities to meet the various challenges affecting their common security. They further agreed on the need for the countries in the region to continue efforts, through dialogue and cooperation, at national and international levels in addressing economic, social and political impacts of globalization so as to ensure sustained economic and social development. It was also essential to strengthen cooperation within such regional frameworks as the ARF in order to enhance international peace and security.

13. The Ministers emphasized that the constructive roles of and stable relations between the major powers remained significant to regional peace and stability. They welcomed the recent improvement in these relations, including regular dialogue and exchange of visits at the heads of state/government level. In this regard, they expressed the hope that such a trend would continue.

14. The Ministers also welcomed the summit meetings held during the Informal Meeting of the Heads of State/Government of ASEAN in Manila on 28 November 1999, particularly the Meeting between the Heads of State/Government of ASEAN Member States, the People's Republic of China (PRC), Japan and the Republic of Korea (ROK), as well as the informal breakfast meeting of the leaders of the three Northeast Asian countries. The Ministers also welcomed the adoption of the Joint Statement on Fast Asia Cooperation by the ASEAN+3 Summit in Manila on 28 November 1999 as a contribution towards regional cooperation as well as peace, stability and prosperity of the region in the long term.

15. The Ministers recognized the purposes and principles contained in the Treaty of Amity and Cooperation in Southeast Asia (TAC) as a basis for the promotion of cooperation, amity, and friendship within Southeast Asia. The Ministers also noted the progress, made on strengthening the TAC as an instrument of peace in Southeast Asia and the process of consideration by non-Southeast Asian countries to accede to the TAC. They also noted the entry into force of the Second Protocol amending the TAC.

16. The Ministers welcomed the progress regarding the implementation of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ), which contributed towards non-proliferation of nuclear weapons. They welcomed in particular the operation of the Commission for SEANWFZ and the Executive Committee for SEANWFZ, and the dialogue between the State Parties to the Treaty and the International Atomic Energy Agency (IAEA), as provided for in the Treaty. The Ministers also expressed support for the continued consultations between the State Parties of the SEANWFZ Treaty and the Nuclear Weapon States regarding the latter's accession to the Protocol to the Treaty.

17. The Ministers agreed that a united democratic and economically prosperous Indonesia was fundamental to the maintenance of regional security. In this context, they emphasized their support for Indonesia's territorial integrity.

18. The Ministers reviewed developments in East Timor while they welcomed the positive trends which had taken place there as well as cooperation between Indonesia and the United Nations Transitional Administration in East Timor (UNTAET). They deplored the death of a UN peacekeeper in East Timor. The Ministers stressed the need for the international community to help East Timor promote peace, stability and prosperity during the latter's transition to full independence, which would contribute to the overall stability of the region. The Ministers also underscored the need for continued international attention to and support for the reconstruction, rehabilitation and nation building of East Timor as well as cooperation with the UNTAET.

19. With regard to the situation in the South China Sea, the Ministers encouraged the exercise of self-restraint by all countries concerned and the promotion of confidence building measures in this area, and welcomed their commitment to resolving disputes by peaceful means in accordance with the recognized

principles of international law, including the United Nations Convention on the Law of the Sea (UNCLOS), as well as to ensuring the freedom of navigation in this area. The Ministers welcomed dialogue and consultations, particularly dialogue in the ASEAN-China Senior Officials Consultations, the exchange of views in the ARF, as well as in the Informal Workshop on Managing Potential Conflicts in the South China Sea. The Ministers welcomed in particular the on-going efforts between ASEAN and China to develop and adopt the Regional Code of Conduct in the South China Sea.

20. The Ministers welcomed the appointment of Mr. Razali Ismail as Special Envoy of the UN Secretary-General for Myanmar. In this regard, they welcomed his visit to Myanmar on 29 June - 3 July 2000, during which Mr. Razali met with the leaders of the Myanmar Government and parties concerned. They welcomed the results of the visit, particularly the constructive dialogue initiated and hoped that this would facilitate positive developments.

21. The Ministers noted with satisfaction the positive developments on the Korean Peninsula, including the increased dialogue and exchanges between the Democratic People's Republic of Korea (DPRK) and several ARF countries. The Ministers welcomed in particular the historic Summit between the leaders of the DPRK and the ROK held in Pyongyang on 13-15 June 2000 and expressed their support for the "June 15 North-South Joint Declaration", the first agreement signed by the two leaders since the division of Korea in 1945. In this regard, the Ministers were of the view that the Summit represented a turning point in inter-Korean relations, and that the on-going momentum of dialogue and interaction would be carried forward with a view to achieving lasting peace and eventual reunification on the Korean Peninsula. The Ministers also expressed the hope for further efforts by all parties concerned within the frameworks of inter-Korean dialogue, the USDPRK and Japan-DPRK talks, the Four-Party Talks and broader international efforts, as well as for further positive developments regarding the temporary moratorium by the DPRK on missile test launches and for the full implementation of the 1994 Agreed Framework, including the work of the Korean Peninsula Energy Development Organization (KEDO).

22. The Ministers exchanged views on situation in South Asia and some expressed their continuing concern. The Ministers expressed the hope that efforts be made to bring about positive developments in the region.

23. The Ministers took note of developments in the South Pacific in view of their implications for the overall security with the ARF geographical footprint. They welcomed the efforts of the new Solomon Islands government to bring together the parties for discussions aimed at establishing a cease-fire. The Ministers noted a cease-fire was a first step towards the restoration of law and order. The Ministers also welcomed the recent release of the hostages in Fiji, but noted the interest of ARF countries in an early return to democratic government.

24. The Ministers discussed matters related to proliferation of weapons of mass destruction and their means of delivery, as well as the implications of ballistic missile defence systems. They noted expressions of support for the Nuclear Non-Proliferation Treaty (NPT). In this regard, they noted the outcome of the NPT Review Conference, convened in New York on 24 April - 19 May 2000. The Ministers also took note of the call for all states to sign and ratify the Comprehensive Test Ban Treaty (CTBT) and to accede to the NPT and the call made in the NPT Review Conference Final Document on the Conference on Disarmament to agree on a programme of work which includes the immediate commencement of negotiations on the Fissile Material Cut-Off Treaty. The Ministers further emphasized the importance of systematic and progressive effort by Nuclear Weapon States on nuclear disarmament and called on them to work towards the objective of total elimination of nuclear weapons. The Meeting noted further the recent adoption by the Mongolian Parliament of a Law on its Nuclear Weapon-Free Status as an important unilateral measure undertaken by Mongolia in pursuance of the UN

General Assembly resolution A/53/77D on “Mongolia's international security and nuclear weapon-free status”.

25. The Ministers reiterated their support for the work of the Ad Hoc Group of States Parties to the Biological Weapons Convention (BWC) on the negotiations on a verification protocol for the BWC and their call for a speedy conclusion of the said negotiations.

26. The Ministers discussed issues pertaining to transnational crime, especially issues of piracy, illegal migration, including trafficking in human persons, particularly women and children, and illicit trafficking in small arms. They recognized that these transnational issues could not only pose challenges to regional peace and stability, but also impair individual countries' efforts in promoting national economic development and improving people's livelihood. Hence, cooperative approaches were necessary to deal with these problems. They also noted the seriousness of the implications of drug production and trafficking as well as the need to address other issues such as money laundering, corruption and computer crime. The Ministers underlined the importance of greater bilateral, regional and international cooperative efforts in this regard. The Ministers also expressed support for the on-going negotiations on the Convention Against Transnational Organized Crime and its Protocols as well as the convening of the International Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in 2001. They nonetheless noted that the extent of the impact of transnational crime problems differ across regions, In this Context, the Ministers agreed that the ARF continue to address transnational crime issues, which affect security of the Asia-Pacific region, and explore how the ARF could increase regional awareness and complement the work undertaken in other existing fora.

Reports of Track I and II Activities for the Current Inter-sessional Year (July 1999 - July 2000) Track I

27. The Ministers noted with satisfaction the, successful implementation of Track I and II activities during the current inter-sessional year (July1999-2000). They noted in particular the reports of the following major Track I activities:

- Co-Chairmen's Summary Report of the Inter-sessional Support Group on Confidence-Building Measures (ISG on CBMs), co-chaired by Singapore and Japan, held in Tokyo on 13-14 November 1999 and in Singapore on 5-6 April 2000 (Annex B)
- Co-Chairmen's Report of the Fourth Inter-sessional Meeting on Disaster Relief (ISM on DR), co-chaired by Vietnam and Russia, hold in Hanoi on 4-6 May 2000 (ANNEX C).

28. The Ministers commended the work of the ISG on CBMs and the ISM on DR in contributing to the advancement of the ARF process. They endorsed the recommendation contained in the, above-mentioned reports.

29. The Ministers also noted that the following Track I activities took place under the auspices of the ISG on CBMs:

- Third ARF Meeting of Heads of Defence Universities, Colleges and institutions in Ulan Bator on 22-24 September 1999;
- ARF Professional Training Programme on China's Security Policy in Beijing on 10-19 October 1999;
- ARF Seminar on the Law of Armed Conflict in Newcastle on 13-17 December 1999;
- ARF Defence Language :School Seminar in Melbourne on 28-31 March 2000;
- ARF Expert Group Meeting on Transnational Crime in Singapore on 4 April 2000;
- ARF Professional Development Programme in Bandar Seri Begawan on 23-28 April 2000;

- Conclusion of the ARFNET study group.

30. The Ministers noted that the ARF Train the Trainers Seminar. "Towards Common Approaches to Training in Disaster Relief" was held in Bangkok on 25-28 January 2000 under the auspices of the ISM on DR.

Track II

31. The Ministers took note of the ARF Track II Expert Meeting on Pacific Concord in Moscow on 21-22 February 2000 and the work-in-progress on the draft Pacific Concord. In this regard, they welcomed the joint work at the Track II level between Russia and the ASEAN-Institutes of Strategic and International Studies (ISIS). Hope was expressed that further efforts would be made with a view to advancing the idea of a Pacific Concord within the ARF framework.

Programme of Work for the Next Inter-sessional Year (July 2000 - July 2001)

32. The Ministers agreed that the ISG on CBMs continue their work and welcomed the offer by Malaysia and the ROK to co-chair the ISG on CBMs in the next inter-sessional year. They also agreed that the Meeting of ARF Expert Group on Transnational Crime be convened in conjunction with the first meeting of the ISO on CBMs to further explore the ARF's role and contribution in addressing transnational crime.

33. The Ministers endorsed the programme of work for the next inter-sessional year as contained in ANNEX D.

Future Direction of the ARF Process

34. The Ministers reaffirmed their commitment to promoting the ARF as an effective and relevant forum for political and security dialogue and cooperation in the Asia-Pacific region. They also reaffirmed their intention to the evolutionary approach towards the development of the ARF process from confidence-building to preventive diplomacy (PD) to elaboration of approaches to conflict, and agreed that the ARF continue to move at a pace comfortable to all ARF participants and on the basis of consensus, with ASEAN playing its role as driving force in the process.

35. The Ministers underscored the significance of confidence-building as a foundation and the primary focus of the ARF process. They agreed that while moving towards PD, the ARF continue to strengthen its confidence-building process so as to ensure affective implementation of CBMs which would meaningfully augment the comfort level, trust, confidence and understanding as well as cooperation among the ARF participants. The Ministers also noted that the ARF has made progress in the discussions on the concept and principles of PD within its context based on the paper prepared by Singapore, as in ANNEX E, which they agreed could be a basis for the ARF's evolving consensus on this subject. They expressed the hope that all ARF participants would continue to cooperate in intensifying the consultations regarding the concept and principles of PD, which would in rum advance the ARF process.

36. The Ministers requested the ISG on CBMs' to continue its work in exploring the overlap between CBMs and PD and strengthening the four CBM/PD overlap proposals already agreed upon, namely an enhanced role of the ARF Chair, the ARF Register of Experts/Eminent Persons, the Annual Security Outlook, and voluntary background briefing on regional security issues. They also requested the ISG on CBMs to intensify its efforts in developing further the concept and principles of PD by the ARF, and to

submit recommendations to ARF SOM and ARF Ministers at their next meetings.

Annex 140

Association of Southeast Asian Nations, *Joint Communiqué: 34th ASEAN Ministerial Meeting* (24 July 2001)

JOINT COMMUNIQUE OF THE 34TH ASEAN MINISTERIAL MEETING Hanoi, 23-24 July 2001

We, the Foreign Ministers of the ten ASEAN Member Countries, met in Ha Noi, Viet Nam, on 23-24 July 2001 under the chairmanship of His Excellency Mr. Nguyen Dy Nien, Minister for Foreign Affairs of the Socialist Republic of Viet Nam. The Meeting was also attended by the Secretary-General of ASEAN. Present at the Opening Ceremony of the Meeting were the representative for Papua New Guinea as Observer and the representative of the United Nations. Transition Administration in East Timor as guest of the host country. His Excellency Mr. Phan Van Khai, Prime Minister of the Socialist Republic of Viet Nam delivered the Keynote Address at the Opening Ceremony of the Meeting.

1. We reviewed the recent political-security developments in the world, particularly the relationship among the major powers which might influence political and security situation in East Asia. We noted there were challenges but believed the positive trends towards peace, stability and cooperation still prevailed.
2. We discussed the challenges facing ASEAN, in particular the global economic outlook, the impact of globalization on the region's political and economic situation that could undermine ASEAN's development and progress.
3. We expressed concern over the global economic outlook, especially the economic downturn in the U.S., Japan and Europe which in turn could hamper the prospects for continued growth in the ASEAN region. We resolved to accelerate existing cooperative endeavours to enhance ASEAN's dynamism and competitiveness.
4. We exchanged views on how ASEAN could best position itself to reap the benefits and meet the challenges of globalization including the need to address the development gap and digital divide. We also discussed the need to promote regional stability, sustain economic growth, enhance ASEAN's competitiveness and strengthen cooperation within ASEAN and between ASEAN and the rest of the world. We shared the view that in order to effectively meet these challenges, the ASEAN Member Countries must continue to be stable, united, integrated and outward-looking. We reaffirmed the fundamental principles of ASEAN and the importance of working together to meet the challenges and further enhance mutual trust and confidence. In line with these we also reaffirmed our commitment to accelerate the implementation of the Hanoi Plan of Action (HPA) with a view to realizing the ASEAN Vision 2020.

IMPLEMENTATION OF THE INITIATIVE FOR ASEAN INTEGRATION (IAI)

5. We were gratified to see good progress in the follow-up to the Initiative for ASEAN Integration (IAI) which ASEAN Leaders put forth at the 4th ASEAN Informal Summit in Singapore last November. We commended the IAI Task Force and the ASEAN Standing Committee for taking the lead in the coordination and implementation of the IAI. On our part we adopted at this 34th AMM the Ha Noi Declaration on Narrowing Development Gap for closer ASEAN Integration, which reiterates the common commitment in ASEAN to integrate Cambodia, Laos, Myanmar and Viet Nam into ASEAN economic mainstream and prescribes concrete measures for this crucial and long-term process focusing on three priority areas, namely

infrastructure, information and communication technology and human resource development. In this connection, we expressed our appreciation for all the assistance that ASEAN's friends and partners have extended to the IAI endeavor and expressed our strong belief that progress in the IAI would continue to contribute significantly to peace, prosperity and progress in the region.

6. To complement existing bilateral assistance extended to CLMV and facilitate request for funding support from interested Dialogue Partners and other sources, we agreed that the Member Countries of ASEAN should jointly initiate "ASEAN IAI Projects" based on the priority areas identified by the IAI Task Force.

ASEAN FOREIGN MINISTERS' RETREATS

7. We stressed the importance of engaging in frank and open discussion as well as enhancing mutual trust and confidence with a view to further strengthening cooperation among ASEAN Member Countries in order to seek avenues to address the above-mentioned challenges. In this connection, we agreed to meet more often in a less formal atmosphere. Following the United Nations Millennium Summit, we held an ASEAN Ministerial Meeting in informal retreat style in New York on 1 September 2000 to coordinate ASEAN position at the UN.

8. We held, for the first time, a Retreat separate from the regular ASEAN Ministerial Meetings, in Yangon, Myanmar, on 3 April 2001. We had frank discussions on regional and international developments, and renewed ASEAN's commitment to further deepen cooperation and play a more important role in enhancing regional security.

9. We also held a Retreat in Ha Noi on 23 July 2001, during the 34th ASEAN Minister Meeting; We discussed the future direction of ASEAN and measures to enhance the Association's contribution and active role in cooperation with its Dialogue Partners and other parties.

10. We noted, with appreciation, Thailand's offer to host the next ASEAN Foreign Ministers' Retreat in the first quarter of 2002.

POLITICAL AND SECURITY COOPERATION

11. We reiterated the importance of the Treaty of Amity and Cooperation (TAC), which serves as a framework governing relations within ASEAN and between ASEAN and countries in other parts of the world. We welcomed the entry into force of the Second Protocol to the TAC following the ratification of the Protocol by Papua New Guinea (PNG). We adopted the Rules of Procedure of the High Council of the TAC and renewed our call for extra-regional states, particularly the major powers, to accede to the TAC.

12. We welcomed the progress in the implementation of the SEANWFZ Treaty, stressed the importance of direct consultation between ASEAN, and the Five Nuclear Weapon States (NWS) and considered this a significant progress towards encouraging the accession of the Nuclear Weapon States to the Protocol to the SEANWFZ Treaty. In this connection, we welcomed the first direct consultation between ASEAN and the NWS in Ha Noi on 19 May 2001, reaffirming our support to this process and called for continued consultations with the NWS. We also welcomed the participation for the first time of the Philippines as a full member of the SEANWFZ Commission, having recently deposited its instrument of ratification.

13. We noted positive developments in the ARF process through various activities at both Track I and Track II level. We were encouraged that the 8th ARF would be adopting three Papers, namely the Paper on Concepts and Principles of Preventive Diplomacy, the Terms of Reference for the ARF Experts/Eminent Persons Register and the Paper on the Enhanced Role of the ARF Chair. This would mark a significant achievement for the ARF process. We also noted with satisfaction the progress

in the implementation of the overlapping measures between Confidence Building Measures (CBMs) and Preventive Diplomacy (PD). Over the past year numerous discussions and talks have been held to enhance mutual understanding among nations and promote peace, stability and prosperity in the region. In this regard, we appreciated activities undertaken by the Socialist Republic of Vietnam as the ARF Chair through formal and informal contacts with ARF participants as well as regional and international organizations, particularly the United Nations, the Organization of American States (OAS), and the Non-Aligned Movement.. We commended the activities of the ARF Intercessional Support Group (ISG) on Confidence Building Measures (CBMs), and the convening of the ARF Experts Group Meeting (EGM) on Transnational Crime particularly in examining transnational crimes of concern to the region.

REGIONAL AND INTERNATIONAL ISSUES

14. We held in-depth and wide-ranging discussions on recent regional and international political and security development particularly situations that affect regional security environment and noted that the overall security environment remains relatively stable and was marked by a number of positive developments including greater interactions and exchanges between and among countries. We agreed that the stability of relationship among the major powers, particularly the US and China, is important to the region. We reiterated the important role played by the major powers and called upon them to continue to make their contribution to strengthening peace, security, cooperation and development in the region and throughout the world.

15. We welcomed positive developments in the Asia-Pacific region including the establishment of the Boao Asia Forum. We also noted with satisfaction the Inaugural Ministerial Meeting of the Forum for East Asia-Latin America Cooperation (FEALAC) held in March 2001 in Santiago, Chile. The Meeting was instrumental in setting out the directions for future East Asia-Latin America cooperation.

16. We exchanged views on new developments in East Timor and welcomed the progress towards the restoration of stability in East Timor and acknowledged the role of the United Nations Transitional Administration in East Timor (UNTAET) in the transitional period and reiterated the need for the support of the international community in playing an active role in the nation-building efforts of East Timor. We welcomed the registration process of East Timorese refugees which had been undertaken successfully without incident. We supported the on-going efforts of the Government of Indonesia in cooperating with relevant international humanitarian organizations in facilitating the return and resettlement of the refugees. We also welcomed the successful completion of the UNSECOORD mission which is essential in facilitating the role of the U.N. in resolving the problem of the East Timorese refugees.

17. We noted encouraging developments in the Union of Myanmar and appreciated the efforts of the Government of Myanmar towards these developments and reiterated our support to the on-going process of national reconciliation in the country.

18. We welcomed the political transition and election of President Megawati Soekarnoputri in Indonesia. We expressed our hope that this orderly and peaceful transition would lead to political stability and speedy economic recovery in Indonesia. We reiterated our support for the territorial integrity and national unity of Indonesia. We believed that the stability and prosperity of Indonesia would contribute positively to the peace, stability and prosperity of the region.

19. We reaffirmed our commitment to our "one China" policy and expressed our hope for further positive developments in the Cross-Straits relations.

20. We reviewed developments in the South China Sea and welcomed the progress in the consultations between ASEAN and China towards the adoption of the Code of Conduct in the South China Sea. We encouraged the continued exercise of self-restraint by all the parties concerned and the promotion of confidence building measures in this area and welcomed the commitment to resolving disputes in the South China Sea by peaceful means in conformity with recognized principles of international law including the United Nations Convention on the Law of the Sea. (UNCLOS) as well as to ensuring the freedom of navigation in the area.

21. We recalled the historic inter-Korean Summit in June 2000 and follow-up steps taken to implement the North-South/South-North Joint Declaration and welcomed continued efforts for positive developments in the Korean Peninsula. We expressed our hope that their momentum would be sustained by all the parties concerned, particularly the Democratic People's Republic of Korea (DPRK) and the Republic of Korea (ROK) with a view to achieving peaceful national reunification and lasting peace on the Korean Peninsula.

22. We reiterated our support to the Middle East Peace Process and expressed our concern over the escalating tension and continuing violence in Gaza and the West Bank. We called for immediate measures to prevent the situation from further deteriorating and called on the parties involved to refrain from resorting to violence and work towards achieving a comprehensive and lasting solution to the Middle East problem.

23. We reaffirmed our support for the Non-Aligned Movement (NAM) and stressed the importance of enhancing the movement's capacity to be a unifying forum for cooperation among developing countries, effectively representing aspirations and interests of the developing world. We expressed our hope that recent NAM initiatives to strengthen the South-South cooperation would be implemented successfully.

24. We welcomed the successful outcome of the United Nations Millennium Summit held in New York on 6-8 September 2000. We were of the view that the Summit was a success since it reaffirmed the UN Member Countries' commitment to the UN process, and to the implementation of the Millennium Declaration adopted by the Summit in which the world leaders pledged to make the right to development a reality for all. We agreed that ASEAN should work with the rest of the world community to implement the Millennium Declaration.

25. We exchanged views on the reform of the United Nations and reiterated that the reform of the UN and the UN Security Council should be undertaken in conformity with the principles of strengthening representativeness, effectiveness, transparency and accountability with a view to enhancing the role of the UN in the service of all nations, particularly developing ones.

26. We stressed the importance of achieving universal adherence to the Comprehensive Nuclear Test Ban Treaty (CTBT) and the Nuclear Non-Proliferation Treaty (NPT) and called on the Nuclear Weapon States to make further efforts towards the elimination of all nuclear weapons.

27. We noted the progress that has been made in negotiating a Protocol on the verification of the Biological Weapons Convention (BWC) and looked forward to the 5th Review of the BWC in November 2001.

28. We also noted the outcome of the UN Conference on Small and Light Weapons in all its aspects held in New York on 9-20 July 2001 and expressed our hope that the Program of Action adopted by this conference would be implemented effectively.

29. We noted the recent dialogues among the major powers and concerned states on the NMD and expressed our hope that such dialogues would narrow down the differences and bring new constructive approaches to address the issues related to the NMD in the interest of maintaining world security and stability.

30. We recalled the decision made by the 26th ASEAN Ministerial Meeting held in Singapore on 13-14 July 1993 to consider the establishment of an appropriate regional mechanism on human rights and noted the consultations between the ASEAN Senior Officials and the Working Group for an ASEAN Human Rights Mechanism. We acknowledged the efforts of the Working Group in realizing this objective, including the convening of a Workshop for an ASEAN Human Rights Mechanism in Jakarta, Indonesia on 5-6 July 2001. In this connection, we agreed that ASEAN-ISIS should also be involved in the discussions especially in the broader context of a People's ASEAN.

31. We should endeavour to find a common position in the regional and international form. On the WTO, we recognized the need for a balanced and broad-based agenda for a new round of multilateral trade negotiations, taking into account the interests of developing countries. The agenda should include capacity building for developing countries to better cope with the challenges of liberalization and carry out the various commitments under WTO. We refined our conviction that cooperation in a rule-based multilateral trading system plays a vital role in alleviating poverty of ASEAN. Furthermore, we reiterated ASEAN's wish to see the WTO speed up the process for the accession of Cambodia, Laos and Viet Nam to the organization. We were likewise of the view that the early accession of China to the WTO would be a significant contribution to the multilateral trading system.

32. We expressed our concern over the decline of commodity prices in the international market. Recalling the importance of the commodity sector to the economies of Member Countries, we expressed our support for efforts by ASEAN to continue to formulate a common stand and course of action to effectively address trade distorting practices of developed countries, such as export subsidies and domestic support measures, that continue to plague international trade in commodities.

33. We reiterated ASEAN's call for support for the participation of Cambodia, Laos and Myanmar in APEC's Working Groups pending their eventual admission into APEC. We welcomed China's APEC chairmanship for the year 2001 and expressed our full support for the realization of the theme "Meeting New Challenges in the New Century: Achieving Common Prosperity through Participation and Cooperation".

34. We noted the successful conclusion of 3rd Asia-Europe Foreign Ministers' Meeting (ASEM FMM) in Beijing, China, on 14-25 May 2001, and reaffirmed our commitment to ASEM process. We reiterated our support for the early admission of Cambodia, Laos and Myanmar into ASEM. We agreed to work towards a more interactive and informal dialogue at future ASEM meetings in order to reinvigorate the comprehensive Asia-Europe Partnership in the post crisis era. In this context, we looked toward to the 4th ASEM FMM in Spain in June 2002 and the ASEM IV Summit in Copenhagen in September 2002.

35. We attached high importance to the Greater Mekong Sub-regional Cooperation program (GMS), which aims to increase intra-regional cross border trade through better physical linkages to create more positive investment climate; and to strengthen labor force and markets through human resource development initiatives. In this regard, we noted that there is natural complementarity between the aims of the GMS programs and the ASEAN's interest and activities in the Mekong sub-region including through the ASEAN Mekong Basin Development Cooperation (AMBDC), which underlines the need for closer cooperation and coordination between the two bodies.

36. Welcoming the success of the First Ministerial Meeting on Mekong-Ganga Cooperation in Vientiane on 11-13 November 2000, we considered this cooperation as complementary efforts to exploit the potential of the region and expressed the hope

that this cooperation, which in the initial stage would focus on tourism promotion and development, would bring about tangible results, contributing to the efforts to integrate the Mekong sub-region to the region. We looked forward to the success of the 2nd Ministerial Meeting on Mekong-Ganga cooperation, in Hanoi, on 18 July 2001.

ECONOMIC COOPERATION

37. We were encouraged by the continued economic recovery in ASEAN, but also recognized the urgent need to continue with structural reforms in view of the slowdown in the global economy. We emphasized the importance of continuing regional economic integration as a measure to reduce costs and attract investment.

38. We welcomed the efforts to expedite the accomplishment of AFTA and emphasized the important milestone it represents for regional economic integration. We lauded the important move by the original signatories in accelerating the implementation of the CEPT scheme. We expressed support for efforts to publicize AFTA and welcomed the CEPT Outreach Program conducted from 21 March 2001 to 6 April 2001 in five ASEAN capitals to disseminate information on the benefits of AFTA to the business community.

39. We were encouraged by significant progress in the implementation of AICO. We stressed the importance of ASEAN trade facilitation initiatives, particularly in terms of customs and standards for intra-ASEAN trade. We recalled that the Sixth ASEAN Summit in December 1998 had called for a second round of negotiations in services. We strongly urged the relevant ASEAN bodies to ensure that substantive offers in air transport, business services, construction, finance, maritime transport, telecommunications and tourism be

made before the end of this year. We urged an early implementation of the Framework Agreement on the ASEAN Investment Area (AIA).

40. We noted the significant progress made in the implementation of the regional financing arrangements, particularly the enlargement of the ASEAN Swap Arrangement and its expansion to include all 10 ASEAN Member Countries, and the conclusion of several substantial agreements on bilateral swap arrangements among ASEAN Member Countries, China, Japan and the Republic of Korea under the Chiang Mai Initiative.

41. We lauded the decision taken by the ASEAN Economic Ministers to establish an ASEAN-GSP Scheme to accord preferential treatment to export goods from Cambodia, Laos, Myanmar and Viet Nam on a bilateral basis, and expressed our belief that this would bring immediate trade benefits to these newer Member Countries.

42. We were pleased with the progress in the implementation of e-ASEAN Framework Agreement signed by ASEAN Leaders at the 4th ASEAN Informal Summit in Singapore last November, particularly the development of a reference framework for e-commerce legal infrastructure. We welcomed the holding of the e-ASEAN Business Leaders Forum in April 2001 to validate the Framework Agreement's attractiveness to leading ICT multinational corporations and invite their active participation. We were pleased with the successful outcome of the First ASEAN Telecommunication Ministers' Meeting (TELMIN) in Kuala Lumpur on 13 - 14 July 2001 including its decision to participate actively in the realization of e-ASEAN and other ICT related activities in ASEAN.

43. We stressed the importance of the tourism industry to the economies of Member Countries and reiterated our support for the Visit ASEAN Campaign (VAC) launched in Brunei Darussalam and expressed our hope that the VAC would give ASEAN a stronger brand name as a single tourism destination.

44. We recognized the importance of those sub-regional groupings/growth areas such as BIMP-EAGA, IMT-GT, IMS-GT, the AMBDC and the West-East Corridor in hastening regional integration and believed that a well-balanced development in sub-regional groupings/growth areas could serve as a solid foundation for ASEAN Economic Integration. In this regard, we lauded the convening of a seminar in Brunei Darussalam aimed at developing a common strategy for revitalizing these sub-regional groupings/growth areas. We appreciated the support and assistance being given to newer Member Countries including those through development projects/programs in the AMBDC. We reiterated our call to gather support and assistance from ASEAN Member Countries and from the rest of the international community for the development of ASEAN sub-regional co-operation.

FUNCTIONAL COOPERATION

45. We noted that the ASEAN-Australia Safety Nets Project commenced implementation in May 2001 and expressed appreciation to Australia for its support for ASEAN's endeavour. We considered this an important step forward in improving the region's capacity to design social safety nets and to assess the social impact of economic and other setbacks. We also noted that two activities under the Framework ASEAN Plan of Action on Rural Development and Poverty Eradication were being implemented with support from the UNDP.

46. We welcomed the measures taken by the ASEAN Health Ministers to improve the competitiveness of health services and health-related products in ASEAN, and to provide the peoples of ASEAN with a better access to cheaper drugs.

47. We noted with satisfaction the progress in the preparation for the special session on HIV/AIDS on the occasion of the 7th ASEAN Summit in November 2001 in Brunei Darussalam, including the active participation of UNAIDS and other parties in the formulation of the ASEAN Work Program on HIV/AIDS II (2001-2004). We also noted that the ASEAN region's response to HIV/AIDS was in line with the Declaration of commitments on HIV/AIDS adopted by the United Nations General Assembly Special Session on HIV/AIDS on 25-27 June 2001 in New York.

48. We welcomed the Yangon 2000 Declaration on Preparing ASEAN Youth For the Challenges of Globalization announced at the 3rd ASEAN Ministerial Meeting on Youth (AMMY), held in Yangon in November 2000, which provides guidance for preparing and empowering the region's youth to make use of the opportunities and meet challenges created by globalization.

49. We noted the importance of the on-going efforts to combat forest fires and haze problems in the region. These include the implementation of the Regional Haze Action Plan and Immediate Action Plan; monitoring of forest fires and haze; and negotiations on the ASEAN Agreement on Transboundary Haze Pollution, which was expected to be concluded by the end of this year. We emphasized the importance of strong commitments among the Member Countries, increased public and community awareness and participation, and continued support from donors to ensure success and sustainability of activities. In this regard, we expressed our appreciation for the assistance of the Asian Development Bank (ADB), some international organizations and Dialogue Countries.

50. We were pleased with the activities of the 36th ASEAN Committee on Culture and Information (COCI) in developing regional identity and a sense of community among ASEAN's people. In this connection we lauded the efforts of COCI in promoting regional understanding and interaction among the youth, artists, experts and representatives of the mass media. We also acknowledged the importance of the ASEAN Kindness Movement as a new initiative to further promote the awareness of ASEAN and its standing in the international community.

51. Recalling the recommendations of the ASEAN Eminent Persons Group to develop more and broader linkages among educational institutions at all levels and to raise the standards of education in the whole of ASEAN, we reaffirmed the importance of student and academic exchanges among the universities of the ASEAN Member Countries. In this connection we recognized the important role of the ASEAN University Network (AUN) as a pillar of the human resource development in the region, and requested the AUN to explore the acceleration of credit transfer among its member universities. We also requested relevant ASEAN bodies to continue to explore the establishment of common professional and technical standards in ASEAN and the setting up of benchmarks in the field of education.

52. We expressed support for efforts of the Committee on Science and Technology (COST) to develop cooperation with China, Japan and the Republic of Korea within the ASEAN+3 framework.

53. We noted the progress being made towards the adoption of work program to implement the ASEAN Plan of Action to Combat Transnational Crime. We also welcomed the efforts to intensify ASEAN cooperation against transnational crime through convening of workshops on specific issues among law enforcement officers, thus creating closer networking and a better understanding among them.

54. We were pleased to note that the ASEAN Directors-General of Immigration Departments and Heads of Consulate Divisions of the Ministries of Foreign Affairs had endorsed the Institutional Framework and Plan of Action which institutionalize cooperation among ASEAN Member Countries on Immigration matters. We also noted the progress in the use of smart card to facilitate travel within ASEAN and the harmonization of ASEAN immigration regulations.

55. We welcomed the endorsement of the ASEAN and China Cooperative Operations in Response to Dangerous Drug (ACCORD) Plan of Action by the International Congress in Pursuit of a Drug-Free ASEAN 2015, which was jointly organized by Thailand, ASEAN and the United Nations Office for Drug Control and Crime Prevention on 11-13 October 2000 in Bangkok, Thailand. We were gratified by the agreement to strengthen coordination in proactively advocating awareness of the danger of drugs and response building consensus and sharing best practices on demand reduction, strengthening the rule of law through improved law enforcement cooperation and legislative review, and eliminating the supply of illicit drugs by boosting alternative development program and community participation in the eradication of illicit crops. Mindful that illegal drugs and narcotics trafficking is not only of concern to each ASEAN Member Country and ASEAN as a whole, but also to the entire international community, we agreed to designate 2002-2003 as "ASEAN Drug Awareness Years" in order to help raise the awareness of the peoples of ASEAN on the danger of illicit drugs and narcotic trafficking and mobilize their support for further strengthening the region's efforts in the fight against narcotic drugs. In this regard, we agreed to request the ASEAN Senior Officials on Drug Matters (ASOD) to consider how to implement such measures, including the possibility of establishing an appropriate ASEAN mechanism to combat illegal drugs and narcotic trafficking.

EXTERNAL RELATIONS

56. We expressed our satisfaction with the progress of cooperation within the framework of ASEAN+3 with China, Japan and the Republic of Korea in all fields, particularly trade, investment and finance. Considering that the enhancement of these cooperative activities was of great significance in restoring economic dynamism in East Asia in general and South East Asia in particular, we encouraged further cooperative efforts with priority to be given to infrastructure, ICT and human resource development. In this connection, we welcomed the establishment of the East Asia Study Group (EASG) and initiatives to boost this cooperation. We also encouraged the participation of China, Japan and the Republic of Korea and other Dialogue

Partners in the implementation of ASEAN initiatives such as the IAI and measures highlighted in the Hanoi Declaration on Narrowing Development Gap for Closer ASEAN Integration.

57. We reaffirmed that ASEAN's relations with its Dialogue Partners are the most significant aspect of ASEAN's external relations and expressed appreciation for their support for the implementation of the HPA and other ASEAN plans of action. We called upon the Dialogue Partners to continue the assistance especially after the review of the HPA by the ASEAN Summit in November 2001 in Brunei Darussalam, which would identify priority areas that ASEAN should focus on.

58. In the context of ASEAN overall development cooperation with Dialogue partners, we reiterated that the principle of non-discrimination should be upheld and respected in the Dialogue Partners relations with ASEAN and agreed that development cooperation activities in the dialogue process should involve ASEAN as one regional entity.

59. We recalled the successful convening of the 13th ASEAN-European Union Ministerial Meeting (AEMM) on 11-12 December 2000 in Vientiane. We expressed ASEAN's desire to further strengthen its relations and to promote dialogue with the EU in all sectors of mutual interest. We looked forward to the next AEMM in Europe.

60. We stressed ASEAN's continued interest in enhancing closer cooperation with the United Nations, inter-governmental and regional organizations and welcomed the ASEAN Secretariat's efforts to coordinate closer cooperation with these organizations.

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Annex 141

Association of Southeast Asian Nations, *Chairman's Statement: 8th Meeting of the ASEAN Regional Forum*
(25 July 2001)



<http://www.asean.org/communities/asean-political-security-community/item/chairman-s-statement-of-the-8th-asean-regional-forum-ha-noi-25-july-2001-2>

Chairman's Statement of the 8th ASEAN Regional Forum Ha Noi, 25 July 2001

1.

The Eighth Meeting of the ASEAN Regional Forum (ARF) was held in Hanoi, Capital of the Socialist Republic of Vietnam, on 25 July 2001. The Meeting was chaired by H.E. Mr. Nguyen Dy Nien, Minister for Foreign Affairs of the Socialist Republic of Viet Nam.

2.

The Meeting was attended by the Foreign Ministers of all ARF participating countries or their representatives. The Secretary-General of ASEAN was also present. The list of Delegates appears as ANNEX A.

Overview of the ARF Process

3.

The Ministers recognized that during the last inter-sessional year, the ARF process continued to make progress and play an important role in maintaining peace and stability in the region, particularly in enhancing and promoting dialogue and co-operation on political and security issues in the Asia-Pacific region. Over the past year, exchanges of views on regional and international issues have become even more candid and inclusive, in view of the full participation of all countries in the ARF's geographical footprint. In this context, the Ministers noted with satisfaction that the ARF was the key forum for participating countries to address actively and constructively key political and security issues, including newly emerged issues as result of globalization that have a bearing on regional peace and stability.

4.

The Ministers acknowledge the contributions of the ARF to the regional peace and stability and emphasised that confidence building is of essential importance to and remains the foundation and main thrust of the whole ARF process. They agreed that this process be further strengthened and more confidence building measures be encouraged. The Ministers appreciated the progress in strengthening the four measures in the overlap between CBM and Preventive Diplomacy (PD) which would contribute to the enhancement of the effectiveness of the ARF process.

5.

The Ministers reaffirmed that the ARF will continue to develop at a pace comfortable to all ARF participants and emphasised the importance of ARF making decision by consensus and on the basis of non-interference into one another's internal affairs. The Ministers noted with satisfaction that the Association of Southeast Asian Nations (ASEAN) continued to play its leading role in the ARF and expressed their support for this continued role in the ARF process. At the same time, the Ministers noted that each ARF Participant had contributed more actively to advancing the ARF process.

6.

In recalling the decision of the Sixth ARF in July 1999 on the overlap between CBMs and PD and that of the Seventh ARF in July 2000 on the enhanced role of the ARF Chair, the Ministers expressed their appreciation to Viet Nam who, as the ARF Chair, had continued and expanded informal contacts with other international and regional organisations, particularly with the United Nations, the Organisation of American States (OAS) and the non-Aligned Movement. They agreed that such contacts were fruitful in promoting exchange of information and sharing of experience between ARF and these organisation and that these links should be further expanded in the future.

7.

The Ministers acknowledged with satisfaction that the ARF Chair had been successful in serving as conduit for information sharing in between ARF meetings, particularly between participants who had no bilateral diplomatic contacts, thus enabling the ARF participants to exchange information relevant to the ARF in a timely manner, and on a voluntary basis. In this regard, the Ministers agreed to adopt the Paper on the Enhanced Role of ARF Chair which appears in ANNEX B and also expressed their appreciation for the excellent work done by Japan in preparing and finalising this Paper.

8.

The Ministers welcomed further progress on the ARF Register of Experts/Eminent Persons to be available for use by ARF participants on the voluntary basis. The Ministers agreed to adopt the Paper on the Terms of Reference for ARF Experts/Eminent Persons which appears in ANNEX C. In this regard, they commended the excellent work done by the ISG on CBMs, particularly by the Co-Chairs of ISG-CBMs, i.e. Malaysia and the Republic of Korea, in finalising the Terms of Reference for the ARF Experts/Eminent Persons. The Ministers also encouraged the ARF participants to nominate their experts/eminent persons for the Register on a voluntary basis with the ARF Chair serving as a focal point.

9.

The Ministers expressed their appreciation to Singapore for its valuable contribution in preparing the Paper on the Concept and Principles of PD and to all ARF participants for their inputs to the Paper. The Ministers expressed their satisfaction with the progress in the discussion on the PD Paper in the ARF and commended the work in this regard by ISG-CBM. The Ministers agreed to adopt the PD Paper as a snapshot of the state on current discussion on PD in the ARF and that the ISG would continue to discuss PD in the next inter sessional year and focus on those issues where there remain divergence of views. The paper on the Concept and Principles of PD appears in ANNEX D. Noting with satisfaction the remarkable progress in the discussion and eventual adoption of the above-mentioned progress in the discussion and eventual adoption of the above-mentioned papers, the Ministers recognised that these developments represent a significant step forward in the ARF process in the last inter-sessional year.

10.

The Ministers commended ARF participants for their contributions to the Annual Security Outlook (ASO) on a voluntary basis and welcomed the second volume of the ARF ASO compiled without editing by the ARF Chair. Noting that the ASO could contribute to the promotion of mutual trust and understanding as well as facilitating the exchange of views among ARF participants, the Ministers agreed that the current and future ASOs would not be treated as confidential. The Ministers encouraged ARF participants to submit ASO in the coming year.

11.

Noting the importance of the participants of defence and military officials in the ARF process, the Ministers welcomed the contribution of greater and active interaction among defence and military officials towards the promotion of mutual understanding. In this regard, the Ministers agreed to endorse the recommendation by the ARF SOM that Defence Officials Luncheon be included as a regular feature of the ISG.

Highlights of Issues Discused

12.

The Ministers had in-depth and extensive discussion on the political and security situation in the Asia-Pacific since the Seventh ARF in July 2000, particularly on the major developments that affect the regional security environment. Conducted in the ARF traditional open and candid atmosphere, the exchange of view among the Ministers was very substantive and focussed, this helping create better understanding of the security perceptions and concerns among ARF participants.

13.

The Ministers shared the views that on the whole, the situation in the Asia-Pacific region remained relatively stable. The Ministers noted that despite certain challenges and uncertainties, and differences in political and strategic perceptions, the region continues to enjoy peace and stability. The Ministers acknowledge the importance of peaceful and stable relations between major powers as key to regional peace and security, and believed that the major powers would continue their efforts to improve and develop their relations so as to contribute to the maintenance of peace and stability

in the region.

14.

The Ministers exchanged views on the accelerated globalisation and were of the view that under the multi-faceted impacts of globalisation as well as those of technologies, economic security is fast becoming a major concern of all nations, both developing and developed alike. They particularly noted with concern the widening gap between developed and developing countries and the determination by the world Head of State and Government expressed in the United Nations Millennium Declaration to "create an environment at the national and global levels alike which is conducive to development and to the elimination of poverty."

15.

The Ministers noted with satisfaction the recent positive development of overall situation on the Korean Peninsula including increased dialogue and on operation between the Democratic People's Republic of Korea Summit on June 15, 2000 in Pyongyang. They further encouraged both the DPRK and the ROK to build on the success of the Summit to continue the peace process and emphasised the importance of holding the second Inter-Korean Summit with a view to establishing lasting peace on the Korean Peninsula. The Ministers also took note of the DPRK's position concerning the DPRK-US Agreed Framework of 1994. They welcomed continued efforts by the international community to contribute to the above endeavours including the recent visit by H.E. MR. Goran Persson, the President-in-Office of the European Council and Prime Ministers of Sweden, to both the DPRK and the ROK. The Ministers were of the view that outstanding security and humanitarian issues would be addressed through increased dialogues. The Ministers appreciated the active participation by the DPRK in ARF activities in the last year and considered this a contribution towards strengthening the ARF process and advancing the cause of regional peace and security.

16.

The Ministers noted that the situation in Southeast Asia on the whole has been peaceful and stable. The Ministers exchanged views on the recent developments in the South China Sea and welcomed the progress in the consultations between ASEAN and China to develop a Code of Conduct in the South China Sea. The Ministers encouraged self-restraint by all countries concerned and the promotion of confidence-building measures in this area, and welcomed the commitment of countries concerned to resolve disputes by peaceful means in accordance with the recognised principles of international law, including the United Nations Convention on the Law of the Sea (UNCLOS), as well as to ensure the freedom of navigation in the area.

17.

The Ministers noted that the 4th ASEAN Informal Summit (AIS) held in Singapore in November 2000 was one of the most significant events that had taken place in the region since the ARF 7. At the Summit, the ASEAN leaders agreed on the need to address ASEAN's cohesion as that would be an important factor for stability in the region. They also agreed to push forward proposals that would enable closer integration and help reduce development within ASEAN. Another key outcome of the Summit was the decision by the ASEAN leaders of China, Japan and the Republic of Korea to start moving towards closer East Asia co-operation. The Ministers shared the views by the ASEAN+3 leaders that a gradual approach towards closer East Asian Co-operation would contribute to the peace, stability and prosperity of the region. In this regard, the Ministers welcomed the creation of the East Asia co-operation.

18.

The Ministers recognised the purposes and the principles contained in the Treaty of Amity and Co-operation in Southeast Asia (TAC) as a basis for the promotion of co-operation, amity and friendship within Southeast Asia and between ASEAN and ASEAN's Dialog partners and other ARF participants. The Ministers welcomed the adoption of the Rules of Procedure of the High Council of TAC by the ASEAN member countries at the 34th AMM in July 2001 in Ha Noi. They noted the consideration by non - Southeast Asian countries to accede to the TAC.

19.

The Ministers welcomed the progress regarding the implementation of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ) as a contribution to global efforts to curb the proliferation of nuclear weapons. The Ministers noted with satisfaction the continued progress made in the consultation between the State Parties to the SEANWFZ Treaty and the Nuclear Weapon States regarding the latter's accession to the Protocol to the Treaty. In this

regard, the Ministers welcomed the progress made at the recent Direct Dialogue between the State Parties and the Nuclear Weapon States held in Ha Noi May 2001. The Ministers welcomed the P5 Joint Statement concerning security assurances for Mongolia and support the Nuclear-Weapon Free Status of Mongolia.

20.

The Ministers welcomed the election of President Megawati Soekarnoputri in Indonesia which had been conducted in a democratic constitutional and peaceful manner. The Ministers expressed the hope that this orderly and peaceful transition would lead to political stability and accelerated economic recovery in Indonesia. They reiterated support for the territorial integrity and political unity of Indonesia. The Ministers believed that the stability and prosperity of Indonesia would contribute positively to the peace, stability and prosperity of the region.

21.

The Ministers noted the co-operation between East Timor and the United Nations Transitional Administration in East Timor (UNTAET) and reiterated the need for the support of international community including ASEAN to play an active role in the nation building efforts of East Timor up to and beyond the territory's independence. They supported the efforts to resolve the problem of East Timorese refugees in East Nusa Tenggara province in a comprehensive manner in order to ensure peace and harmony of all Timorese. They welcomed the plan to hold election for the Constituent Assembly on 30 August 2001.

22.

The Ministers welcomed the encouraging developments in Myanmar, the process of national reconciliation in particular. The Ministers expressed appreciation for the efforts in this regard by the Government of the Union of Myanmar, as well as those of ASEAN, the UN Special Rapporteur for Human Rights in Myanmar, the Special Envoy of the United Nations Secretary General.

23.

The Ministers noted the situation in Fiji and Solomon Islands, welcomed positive development towards a resolution of the Bouganville conflict and expressed the hope for positive outcome of the Fijian elections to be held in August 2001 and the efforts of the International Peace Monitoring Team in Solomon Islands.

24.

The Ministers discussed issues relating to proliferation of weapons of mass destruction and their means of delivery as well as the implications of missile defence systems. They noted expressions of support for the Nuclear Non-Proliferation Treaty (NPT) as the core of the global non-proliferation regime. The Ministers also took note of the call for all states to sign and ratify the Comprehensive Test Ban Treaty (CTBT) and to accede to the NPT. The Ministers urged all states to maintain existing moratoria on nuclear testing. They also took note of the call made in the NPT Review Conference Final Document on the Conference in Disarmament to agree on a programme of work which includes the immediate commencement of negotiations on the Fissile Material Cut-Off Treaty. The Ministers further emphasised the importance of systematic and progressive efforts by Nuclear Weapon States on nuclear disarmament and called on all states to work towards the objective of total elimination of nuclear weapons.

25.

The Ministers expressed their hope that the Protocol strengthening the Biological and Toxin Weapons Convention (BTWC) would be finalised before the 5th BTWC Review Conference and urged all countries to speedily conclude their negotiations on the said Protocol.

26.

The Ministers recognised that transnational crimes could not only have potentially serious impacts on regional peace and stability, but also pose a threat to the national economic development and social well-being of all states. In this regard, they noted the serious implications of drug production and trafficking and underscored the need to address this critical issue and other transnational crimes such as piracy, illegal migration, illicit trafficking of small arms, money laundering, terrorism, and cyber crime. The Ministers underlined the importance of greater bilateral, regional and international co-operative efforts in this regard.

27.

The Ministers welcomed the Convention Against Transnational Organised Crime and its Protocols and encouraged ARF participating countries to sign and ratify them soon. The Ministers expressed their supports for results of the UN Conference on the Illicit Trade in Small Arms and Light Weapons (SALW) in all its aspects which was held in New York from 9 to 20 July 2001 and believed ARF participants would promote the Regional co-operation pursuant to the UN Programme of Action on SALW. In this context, the Ministers noted the Australian proposal for an ARF Declaration on small arms.

**Report of Track I and II Activities for the Current Inter-sessional Year
(July 2000 – July 2001)**

Track I

28.

The Ministers noted with satisfaction the successful implementation of Track I and II activities during 2000 – 2001 inter-sessional year. They noted in particular the Co-Chairmen's Summary Report of the Meetings of the ARF Inter-sessional Support Group on Confidence-Building Measures (ISG on CBMs), co-chaired by the Republic of Korea and Malaysia, held in Seoul, the Republic of Korea 1 – 3 November 2000 and in Kuala Lumpur, Malaysia 18 – 20 April 2001 (ANNEX E). The Ministers commended the work of the ISG on CBMs in contributing the advancement of the ARF process and endorsed the recommendation contained in the above mentioned report.

29.

The Ministers also noted that the following Track I activities took place under the auspices of the ISG on CBMs: 29.1. Combined Humanitarian Assistance Response Training (CHART) in Singapore in August 2000; 29.2. Fourth Meeting of Heads of Defence College, Universities and Institutions in China in September 2000; 29.3. Seminar on Defence Conversion Co-operation in Beijing in September 2000 as well as the establishment of the ARF Regional Maritime Information Center (ARF-RMIC); 29.4. Seminar on Approaches to Confidence Building in Helsinki in October 2000; 29.5. Workshop on Anti-Piracy in Mumbai in October 2000; 29.6. ARF CBMs Seminar on Conventional Weapons in Phnom Penh in February 2001; and 29.7. Seminar on Civil Military Co-operation in Peacekeeping Operations in Seoul in May 2001. 29.8 Workshop on Environmentally Sound Management of Shipboard Generated Waste in Washington in June 2001

30.

The Ministers endorsed the following proposals on the implementation of CBM activities as Basket I CBMs in the next inter-sessional year:

30.1. Japan's proposal to host the 5th ARF Meeting of the Heads of Defense Colleges/Institutions in late August to early September 2001;

30.2. Thailand's proposal to host the 2nd Seminar on the Law of Armed Conflict: "the relevance of the Law of Armed Conflict to Peacekeeping" in Bangkok on 7 – 10 August 2001;

30.3. US and Brunei's proposal to host a workshop for Mid-level ARF Civilian and Defense Officials on Preventive Diplomacy in September 2001;

30.4. Vietnam's proposal to host a Seminar on Economic Security for Asia Pacific in the First Decades of 21st Century on 26 – 28 February 2002;

30.5. Russia's proposal to host the 6th ARF Meeting of the Heads of Defense Colleges/Institution in 2002; and

30.6. Canada's proposal for an ARF Peacekeeping Seminar to be co-sponsored with India and Malaysia in March 2002.

Track II

31. The Ministers took note of the CSCAP Maritime Co-operation Working Group Meetings in the Philippines, China

and Malaysia in 2000 – 2001 inter-sessional year and the CSCAP's draft Memorandum on a Common Understanding of the Law of the Sea in the Asia-Pacific; the 8th Meeting of CSCAP Working Group on Transnational Crime and the 9th Meeting of CSCAP Working Group on Comprehensive and Co-operative Security. The Ministers also noted that informal contacts between ARF Chair and Track II for a could provide important inputs for discussions at Track I level.

32.

The Ministers welcomed efforts made by ASEAN and Russia relating to Pacific Concord and encouraged them to continue their consultations. **Programme of Work for the Next Inter-sessional Year (July 2001 – July 2002)**

33.

The Ministers agreed that the ISG on CBMs continue their work and welcomed the offers by Viet Nam and the Republic of India to co –chair the ISG on CBMs in the next inter-sessional year.

34.

While noting that the Expert Groups Meetings on transnational crime (EGMs) in the inter-sessional year 2000 – 2001 had generally been useful in helping the ARF to address transnational crimes, the Ministers endorsed the recommendation of the ARF SOM and ISG on CBMs that those transnational crimes could be discussed in alternative formats such as ad hoc workshop, seminars or symposia.

Future Direction of the ARF Process

35.

The Ministers reaffirmed their commitment to further develop the ARF as an effective forum for dialogue and co-operation on political and security issues in the Asia-Pacific region. While reiterating that the ARF continue to follow an evolutionary approach in its development from Promotion of confidence - Building Measures to Development of Preventive Diplomacy (PD) to elaboration of approaches to conflict, the Ministers agreed that the ARF continues to move at a pace comfortable to all ARF participants and on the basis of consensus. They expressed their continued support for ASEAN's role as the driving force in the ARF process.

36.

The Ministers emphasised the importance of confidence-building as the foundation and the primary focus of the whole ARF process. The Ministers also agreed that while moving towards PD, the ARF should continue to strengthen its confidence-building process so as to substantially enhance mutual trust, confidence and understanding as well as co-operation among the ARF participants. They concurred that these efforts would lay a firm ground for peace and stability in the Asia-Pacific as well as for the next stages of the ARF. The Ministers noted with satisfaction the progress made in the discussion on the concept and principles of PD within the ARF's context based on the Paper on ARF Concept and Principles of Preventive Diplomacy. In this regard, the Ministers requested the ISG on CBMs to intensify its efforts in discussing PD, focusing on those areas where there remained divergence of views and submit recommendation to ARF SOM and ARF Ministers at their next meetings.

37.

The Ministers noted with satisfaction the progress in exploring the overlap between CBMs and PD and strengthening of the four CBM/PD overlap proposals already agreed upon, namely the adoption of the paper on an enhanced role of the ARF Chair and the paper on the ARF Register of Experts/Eminent Persons, the Annual Security Outlook, and voluntary background briefing on regional security issues. The Ministers agreed that the ARF continues its work on these measures as well as on further exploring the overlap between CBMs and PD.

Annex 142

Association of Southeast Asian Nations, *Joint Communiqué: 35th ASEAN Ministerial Meeting* (30 July 2002)

2002 JOINT COMMUNIQUE OF THE 35TH ASEAN MINISTERIAL MEETING

Issued in Bandar Seri Begawan, Brunei Darussalam on 30 July 2002

[\[http://www.aseansec.org/4070.htm\]](http://www.aseansec.org/4070.htm)

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RESPONDING TO CHALLENGES: SECURING A BETTER FUTURE

1. We, the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN), met in Bandar Seri Begawan to review regional and international political and economic developments, bearing in mind our resolve, to take full advantage of the opportunities offered by globalisation and address the new security concerns raised by the September 11, 2001 terrorist attacks in the United States. These were among the important factors in the evolving situation that underlined the urgency for ASEAN to respond.

2. We expressed with appreciation the keynote address by His Majesty Sultan Haji Hassanal Bolkiah of Brunei Darussalam. His Majesty stated that the most pressing issue for ASEAN is economic progress and ASEAN needs to respond rapidly to this challenge. His Majesty also stated that the cooperation between ASEAN and its Dialogue Partners is now an integral part of ASEAN itself. His Majesty highlighted that terrorism, at its deepest, level threatened all international order and challenges the fundamental values set in the Bangkok Declaration. His Majesty also stressed that terrorism must be addressed through a comprehensive strategy. His Majesty emphasised that ASEAN countries, individually and as a group, have enormous strength, vigour and dynamism and there is no lack of resolution, foresight and sheer talent in the region. In this regard, ASEAN needs to make its work more meaningful to the people so as to fulfill the dream of the founding fathers of ASEAN and the vision set out by the leaders in the new century.

3. We are fully committed to strengthening our bilateral, regional and international cooperation to counter terrorism in a comprehensive manner and to make Southeast Asia a safer place for all as reflected in the 7th ASEAN Summit Declaration on Joint Action to Counter Terrorism. We believe this would ensure peace, stability and security in our efforts to achieve greater development, progress and prosperity in ASEAN.

4. Encouraged by the achievements and progress of ASEAN over the years, we are determined to work even harder. We resolved towards realising the ASEAN Vision 2020 through the implementation of the Hanoi Plan of Action and the development of the Roadmap for the Integration of ASEAN (RIA) as instructed by our Leaders at the 7th ASEAN Summit.

5. Our priority is to further enhance our integration especially in ensuring the strength and competitiveness of our economies. In this regard, the realisation on 1 January 2002 of the ASEAN Free Trade Area (AFTA) among the original six signatories represented a very important milestone to an even deeper integration. We are confident that the implementation of AFTA by our new members would be carried out as scheduled. We would exert every effort to go beyond AFTA and the ASEAN Investment Area (AIA) by deepening market liberalization in trade, services and investment.

6. We recognised the strategic value of intensifying our dialogue processes within ASEAN as well as developing linkages with friends and partners in promoting cooperation, broader understanding and addressing areas of common concern. Through our own Summits and Ministerial Meetings, Post Ministerial Conferences (PMC), ASEAN Dialogue Relations, ASEAN Regional Forum (ARF) and the ASEAN + 3 process and other relevant international fora, we

can maintain our coherence and cohesiveness and ensure that ASEAN continues to play a pivotal role, and to remain open and outward-looking.

7. In order to provide for better prospects and greater confidence for our people, friends and partners, we are determined to take urgent concrete measures in addressing the immediate and long-term concerns affecting the region.

COMBATING TERRORISM

8. We recognised that terrorism is a global threat and that the disturbing acts of terrorism and transnational crimes, which continue to threaten world peace and stability, must be tackled by the international community. Towards this end, we called for the need to undertake concerted efforts and concrete initiatives at all levels.

9. We acknowledged that following the 2001 ASEAN Declaration on Joint Action to Counter Terrorism adopted during the 7th ASEAN Summit in November 2001 in Brunei Darussalam, ASEAN at all levels had undertaken practical measures and further enhanced its role and contribution in the fight against terrorism. We noted the increased cooperation and activities among the frontline agencies in ASEAN. We welcomed the adoption of the Work Programme on Terrorism by the Second Annual Senior Officials' Meeting on Transnational Crime and endorsed by the Special ASEAN Ministerial Meeting on Terrorism in Kuala Lumpur in May 2002. We believed that the Work Programme would further enhance information / intelligence exchanges particularly on terrorists and their organisations, movement, financial support as well as strengthen our legal infrastructure and law enforcement capabilities. We would also work towards developing our regional training and capacity-building programmes. We are also determined to enhance counter-terrorism cooperation in line with specific circumstances in our respective countries.

10. We welcomed the signing of the Agreement on Information Exchange and Establishment of Communication Procedures between the Republic of Indonesia, Malaysia and the Republic of the Philippines in Putrajaya, Malaysia on 7 May 2002 as a significant building block in the international campaign against terrorism. We also welcomed Cambodia's accession to the Agreement on 30 July 2002.

11. We have also broadened our cooperation and involvement with the international community through the United Nations, our Dialogue Partners, the ASEAN Regional Forum and the ASEAN + 3 process. We affirmed that at the international level the United Nations should play a major role. In this regard, we fully supported the implementation of the Security Council Resolution 1373 and noted that all ASEAN countries have submitted their reports in compliance with the Resolution. We looked forward to further efforts by the international community to provide technical assistance and other support to ASEAN Member Countries in need of such in implementing Security Council Resolution 1373.

12. We believed that all these efforts would bolster ASEAN's capability and capacity to contribute to the fight against terrorism at the regional as well as at the international levels.

ECONOMIC CHALLENGES AND NEW OPPORTUNITIES

13. Globalisation has intertwined the economic fates of many countries. The 11 September attacks came at a difficult time for most of our ASEAN economies, recovering from the 1997-1998 financial crisis and heavily dependent on exports. However, we welcomed the projection of ASEAN's economic growth of 3.5-4% this year.

14. Much needs to be done in ensuring sustainable economic recovery in the region. Tackling the remaining challenges from the financial crisis is our priority. While noting the progress achieved in these areas, we pledged our continued commitment to work together and individually in financial and corporate sector restructuring.

15. We will respond to the challenges posed by the economic diversity of our expanded ASEAN with greater coherence and cohesiveness through the development of RIA. The Roadmap would bring together our various initiatives to deepen economic cooperation, to accelerate integration and to bridge the development gap in ASEAN.

16. The RIA would also ensure that our economies remain competitive and dynamic through strengthening AFTA, accelerating the ASEAN Investment Area (AIA) and fostering industrial linkages through the ASEAN Industrial Cooperation (AICO). ASEAN would further work towards facilitating, enhancing cooperation and progressively liberalising trade in services and tourism. Through the Initiative for ASEAN Integration (IAI), we would increase the development levels of our members by focusing on capacity-building and human resources development in areas such as energy, telecommunications, and transportation especially within the Mekong Basin and our other sub-regional growth areas.

17. We endorsed the Initiative for ASEAN Integration (IAI) Work Plan together with programmes and projects focusing on four-priority areas namely human resource development, infrastructure, information communication technology and regional economic integration. The Work Plan would serve as a roadmap to implement the Hanoi Declaration on Narrowing the Development Gap for Closer ASEAN Integration. We welcomed the convening of the IAI Development Cooperation Forum (IDCF) in Jakarta on 15-16 August 2002. We also welcomed the initiative of the six older ASEAN Members to launch joint IAI projects to help narrow the development gap within ASEAN. This would be a significant step in demonstrating ASEAN's commitment in helping its new members in the integration efforts under the IAI.

18. We recognised the increasing global competition for investment and markets and in this regard, we welcomed efforts initiated by our Economic Ministers for an ASEAN Competitiveness Study to be realised. We believed this would complement our AIA initiative to further promote ASEAN as a competitive investment destination.

19. We would continue to work together for our peoples and businesses to better equip them for communication and competition in the new economy. In this context, we have committed to accelerate the implementation of the e-ASEAN Framework Agreement and looked forward to the establishment of an ASEAN Business Advisory Council (ABAC). We would also help businesses by promoting freer movement of goods and people through the ASEAN Framework Agreement on Facilitation of Goods in Transit and through the ASEAN Tourism Agreement to be signed by our Leaders at the 8th ASEAN Summit in Phnom Penh in November 2002.

20. Mindful that this is a difficult time for the multilateral trading system, we were thus encouraged that a consensus was reached at the WTO Ministerial Meeting in Doha, which underscored the importance of development in the trade agenda. We will work closely with our economic partners in negotiations at the WTO towards achieving greater market access for products and services of developing economies, including that of ASEAN. We reiterated our call for the early accession of Cambodia, Laos and Viet Nam into the WTO, taking into account their different stages of development and the basic principles of special and differential treatment.

21. In emphasising the importance of establishing linkages with our other partners, we pledged to work together to implement the decision of our Leaders and the Chinese Premier at the last Summit to formalise the Framework Agreement on ASEAN-China Economic Cooperation, including the establishment of the ASEAN-China Free Trade Area within 10 years with special and differential treatment and flexibility to the new members. We looked forward to the signing of the Framework Agreement at the forthcoming ASEAN-China Summit. We also considered the idea of having a feasibility study on establishing an East Asia Free Trade Area (EAFTA).

22. We resolved to further strengthen the ASEAN + 3 cooperation. In this context, we noted the need to strengthen the ASEAN Secretariat in Jakarta and Malaysia's offer to host the ASEAN + 3 Secretariat in Kuala Lumpur.

23. We commended the work on the closer economic partnership with the CER countries and in this regard, welcomed a Ministerial Declaration to be signed in September this year. We also looked forward to further progress in developing closer economic partnership with Japan. We were encouraged by the recent development of a comprehensive work programme between ASEAN and the US to further strengthen our trade and investment ties. These linkages would ensure that ASEAN continues to practise open regionalism and remain outward-looking and supportive of the multilateral trading system.

24. We welcomed the decision of our Leaders at the 7th ASEAN Summit to consider the idea of convening ASEAN + 1 Summits with other Dialogue Partners starting with ASEAN-India at the forthcoming Summit in Cambodia.

25. We recognised the importance of sub-regional growth areas to the overall development in the region. We welcomed the active involvement of the private sector and the Asian Development Bank in the ASEAN sub-regional growth areas such as the Brunei Darussalam-Indonesia-Malaysia-Philippines – East ASEAN Growth Area (BIMP-EAGA), Indonesia-Malaysia-Thailand – Growth Triangle (IMT-GT), Singapore-Johor-Riau Growth Triangle (SIJORI), ASEAN-Mekong Basin Development Cooperation (AMBDC), East-West Corridor and the Cambodia-Laos-Viet Nam Development Triangle.

26. We commended the work of our Finance and Economic colleagues in these areas and believe our work would offer great opportunities for our peoples and our business sectors.

FUNCTIONAL COOPERATION

27. We were pleased with the progress that ASEAN has achieved in promoting functional cooperation. We commended the work produced by our Ministers responsible for Social Welfare, Science and Technology, Health, Environment, Labour, Law and Transnational Crimes and expressed full support for the implementation of their recommendations.

28. We reviewed ongoing efforts in ASEAN under the Framework for the ASEAN Plan of Action on Rural Development and Poverty Eradication and the ASEAN Plan of Action on Social Safety Nets. Recognizing that poverty is one of the central challenges in today's economy and society and reaffirming our commitment to uplift our people from poverty, we noted the Philippines' proposal to establish an ASEAN facility for micro-lending for the poor and requested the relevant ASEAN bodies to consider it.

29. We welcomed the adoption of the ASEAN Declaration on HIV/AIDS and the 2nd Work Plan on HIV/AIDS, by the Leaders at the 7th ASEAN Summit. In this regard, we were pleased with the implementation of the programmes in tackling the HIV/AIDS issues under the Work Plan.

30. We welcomed the adoption of the Work Programme to Implement the ASEAN Plan of Action To Combat Transnational Crimes in Kuala Lumpur, 17 May 2002. We believed that the Work Programme would further strengthen our capacity to combat transnational crimes such as illicit drug trafficking, trafficking in persons, sea piracy, arms smuggling, money laundering, terrorism, international economic crime and cyber crime. We reaffirmed our commitment towards a Drug-Free ASEAN 2015 and expressed satisfaction on the progress in realising the ASEAN Drug Awareness Years 2002-2003. We called on all our partners in the ASEAN-China Cooperative Operations in Respond to Dangerous Drugs (ACCORD) Plan of Action to take immediate and practical measures to combat illegal drugs and narcotics trafficking in accordance with the said Plan of Action.

31. We reiterated the message contained in the Joint Statement of the ASEAN Ministers Responsible for Environment to the World Summit on Sustainable Development, particularly in setting in place targeted, time-bound, practical and implementable actions for achieving specific sustainable development goals.

32. We recalled the decision made by the 26th ASEAN Ministerial Meeting to consider the establishment of an appropriate mechanism on human rights. In this regard, we noted the First and Second Workshops on the ASEAN Regional Mechanism on Human Rights hosted respectively by Indonesia from 5-6 July 2001 and the Philippines from 13-15 June 2002. We also noted the 9th ASEAN-ISIS Colloquium on Human Rights, held from 23-24 February 2002, in Manila. We deemed that these efforts could contribute in enhancing the exchange of views among different sectors in ASEAN towards the realisation of the concept of an ASEAN human rights mechanism. We also acknowledged the importance of continuing dialogue with the Working Group for an ASEAN Human Rights Mechanism.

33. In improving the quality of lives of our peoples, we pledged to continue our efforts in enhancing these initiatives. We believed that these would bring all sectors of society closer together, especially our women and youth. We stressed the importance of promoting effective

outreach programmes through cultural cooperation, science and technology exchanges, and environmental awareness at the national and regional levels.

POLITICAL AND SECURITY COOPERATION

34. We exchanged views on a wide range of political and security issues affecting the region. We noted that the overall security environment in the Southeast Asian region remains stable and peaceful despite the existence of certain challenges. Encouraged by positive developments, we will continue to play an important role in the promotion of peace, stability and economic progress in Southeast Asia and in the wider Asia-Pacific region.

35. We stressed the importance of maintaining the territorial integrity, sovereignty, and unity of states. In this context, we recognised the need to address threats and challenges posed by issues such as separatism and terrorism.

36. We reaffirmed the usefulness of informal open and frank dialogue amongst ASEAN to address issues of common concern to the region. We have strengthened the ASEAN mechanism by having an annual Leaders' Summit, Ministerial Meetings and Retreats to guide, assess and review developments in ASEAN and its relationship with friends and partners. In recognising the need for ASEAN to remain relevant and able to respond and adapt to changes in the regional and international environment, we agreed to meet and consult on urgent issues in a timely manner.

37. We were satisfied that the ARF, as the key forum for political and security dialogue in the Asia-Pacific region, continued to make significant progress in addressing regional security concerns, implementing confidence-building measures and beginning exploratory work on Preventive Diplomacy. Given our resolve for ASEAN to maintain its role as the primary driving force, we will continually strengthen the Forum by considering further initiatives and other means including the Forum's expansion to meet the challenges of the evolving strategic security situation.

38. We reaffirmed that the Treaty of Amity and Cooperation (TAC) in Southeast Asia serves as the framework governing relations among Southeast Asian states and those outside the region. We welcomed the intention of China, Russia and India to accede to the Treaty and renewed our call to other Dialogue Partners and interested countries, in particular the major powers, to accede. We recalled that the adoption of the Rules of Procedure of the High Council of the Treaty and the Instrument of Accession would facilitate accession of interested parties.

39. We welcomed the on-going consultations between ASEAN and the Nuclear Weapon States (NWS) on the Protocol of Southeast Asian Nuclear Weapon-Free Zone (SEANWFZ) Treaty and urged the NWS to sign the Protocol of the Treaty as soon as possible.

40. We reaffirm that the adoption of a code of conduct in the South China Sea would further promote peace and stability in the region and agreed to work towards a Declaration on the Conduct of Parties in the South China Sea. In this regard, we agreed to work closely with China with a view to adopting the Declaration. All parties concerned are encouraged to continue the exercise of self-restraint and we welcomed their commitment to resolving disputes in the South

China Sea by peaceful means in conformity with recognised principles of international law including the United Nations Convention on the Law of the Sea (UNCLOS) as well as to ensuring the freedom of navigation in the area.

41. We were satisfied with the on-going South China Sea Workshops on Managing Potential Conflict in the South China Sea through dialogue, confidence-building and cooperative measures. We urged the participating authorities as well as the NGOs, foundations or private companies from the South China Sea region as well as outside the region to contribute generously to the continuation of the Workshop's programmes as agreed at the Workshop in August 2001.

42. As a reflection of the recognition that ASEAN, individually, and collectively, should contribute positively in creating an international regime of peace and stability, we expressed support for the Philippines', Indonesia's and Viet Nam's candidature to become non-permanent members of the UN Security Council for the year 2004 – 2005, 2007-2008 and 2008-2009 respectively.

REGIONAL AND INTERNATIONAL ISSUES

43. We warmly welcomed the initiative of the Royal Thai Government in inaugurating the Asia Cooperation Dialogue (ACD) on 18-19 June 2002, in Thailand, which aimed to provide a non-institutionalising arrangement for dialogue and the exchange of ideas to promote synergy within Asia through consolidating collective strengths. We noted that the ACD, as an evolving, open and informal process, would serve to complement existing regional cooperation and that ASEAN's role and contribution is essential to ACD's incremental and steady progress towards forging Asia-wide cooperation, which would make Asia a strong partner for other regions of the world.

44. We welcomed the Democratic Republic of East Timor as a new member of the international community and were prepared to engage East Timor in the long-term. We had invited East Timor to the 35th AMM and agreed to extend similar invitation for future AMMs. We noted East Timor's intention to become observer to ASEAN and to accede to the TAC. We would continue to consult with East Timor on this matter.

45. We support the continued efforts of the Royal Government of Cambodia to bring the senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom, and international conventions recognised by the Kingdom of Cambodia to trial in accordance with international standards of justice, fairness and due process of law. We recognised, in this connection, the need of the Royal Government of Cambodia and the United Nations to cooperate together and appeal to the international community, to provide assistance in this regard.

46. We noted the national efforts in dealing with any violation of international human rights and humanitarian law.

47. We welcomed the readiness of Democratic People's Republic of Korea (DPRK) and the Republic of Korea (ROK) to resume the inter-Korean dialogue and appreciated the role of other parties in bringing this into effect. We encouraged both Koreas to implement further follow-up measures to enhance inter-Korean reconciliation and cooperation in the spirit of the 15 June 2000 North-South Joint Declaration. We called for further promotion of the peace process on the Korean Peninsula and emphasised the importance of holding the second inter-Korean summit.

48. We considered peace and stability in South Asia as important to the whole region and beyond. We expressed the hope that India and Pakistan would take all necessary steps to defuse tensions. We called on both countries to resume immediate dialogue, strengthen their cooperation and resolve their differences through peaceful means to restore and maintain peace and stability.

49. We expressed concern over the latest developments in the Middle East and condemned the recent Israeli air attack in Gaza resulting in the death of innocent civilians. We reaffirmed our support for the Middle East Peace Process and called on Israel and the Palestinian Authority to resume peaceful negotiations towards a comprehensive and full settlement of the Arab-Israeli conflict. We reiterated the importance of ensuring full implementation of all relevant United Nations resolutions and the pledges and commitments made by both parties at the Madrid Conference and at Sharm El-Sheikh. We welcomed all peace initiatives aimed towards achieving a comprehensive and lasting solution to the Middle East problem.

50. We welcomed the election of the new government in Afghanistan by the Loya Jirga and hoped that the newly-elected government would bring peace and stability in the country. We welcomed the Pledging Conference on the Reconstruction Assistance of Afghanistan held in Tokyo this year and urged members of the international community to continue to provide necessary assistance in all areas for the development of the country.

51. In view of the United States withdrawal from the 1972 ABM Treaty, we welcomed the signing of the Treaty on Strategic Offensive Reductions between the Russian Federation and the United States on 24 May 2002, bearing in mind the importance of this Treaty as a contribution to the maintenance of strategic balance, world peace and long-term international security. We further called for the nuclear weapons states to continue dialogue to look for new ideas and approaches to address the issue of nuclear disarmament.

ENHANCING ASEAN'S RELEVANCE

52. We believed that ASEAN faces serious challenges from within and from outside. They encompass the political, social and economic lives of our peoples. ASEAN is responding with a combination of ambitious initiatives and pragmatic programmes addressing the needs of our people and the demands of a globalising world. This requires our institutions to evolve to remain relevant, our member countries to reflect and reorient to remain dynamic and competitive and to develop linkages with each other and other regional and international organisations.

53. We have also strengthened the capacity of ASEAN institutions by implementing our Leaders' decision on the role and functions of the ASEAN Secretariat. We endorsed Singapore's nomination of Mr Ong Keng Yong to succeed Mr. Roldolfo C. Severino, Jr. as the

next Secretary-General of ASEAN and agreed to recommend his appointment to the Heads of State / Government of ASEAN.

54. We believed that ASEAN continues to provide the necessary and relevant framework for cooperation and dialogue among nations and peoples. We are therefore resolved to work closely together to meet the challenges to regional peace, stability and sustained growth in the ASEAN region with renewed vigour to build a strong foundation for a secure and prosperous ASEAN.

Annex 143

Association of Southeast Asian Nations, *Chairman's Statement: 9th Meeting of the ASEAN Regional Forum*
(31 July 2002)

Chairman's Statement: The Ninth ASEAN Regional Forum Ministerial Meeting, Bandar Seri Begawan, Brunei Darussalam, 31 July 2002

1. The Ninth Meeting of the ASEAN Regional Forum (ARF) was held in Bandar Seri Begawan on 31 July 2002. The Meeting was chaired by His Royal Highness Prince Mohamed Bolkiah, Minister of Foreign Affairs of Brunei Darussalam.
2. The Meeting was attended by the Foreign Ministers of ARF participating countries or their representatives. The Secretary-General of ASEAN was also present.
3. A meeting among defense and military officials attending the 9th ARF was also held on 30 July 2002.

Overview of the ARF process

4. The Ministers expressed satisfaction that the ARF, as the main cooperative security forum in the Asia Pacific Region, continues to make significant progress in addressing regional security concerns, implementing confidence building measures and initiating exploratory work on preventive diplomacy (PD). They were of the view that the ARF process has further strengthened dialogue and understanding amongst its participants, which represents an important contribution to regional peace and stability, especially in light of the evolving security situation.
5. The Ministers reiterated that the ARF should continue to progress at a pace comfortable to all and maintained the importance of decision-making by consensus and on the basis of non-interference into one another's internal affairs. The Ministers expressed continued support for ASEAN's role as the primary driving force of the ARF and further encouraged the contribution of all ARF participants in moving the ARF process forward.
6. The Ministers emphasized the importance of the active participation of defense and military officials as well as the engagement of other security officials in strengthening the ARF process. The Ministers welcomed the initiative to create more opportunities for these officials to interact as they are essential to the confidence building process in the ARF and have proven to be constructive and useful in the exchange of views on issues of common interest. They were also informed by the ARF Chairman on the outcome of the defense/military officials meeting on 30 July 2002.
7. In recalling the decision of the 8th ARF in July 2001, on the adoption of the paper on the "Enhanced Role of the ARF Chair", the Ministers welcomed Brunei Darussalam's good offices and co-ordination role in between ARF meetings, particularly in issuing a statement on behalf of ARF participants on the tragic events of 11 September 2001 in the United States and facilitating the immediate convening of two workshops on "Financial Measures against Terrorism" and "Prevention of Terrorism" this year. They also expressed appreciation to Brunei Darussalam for its wide consultations and outreach with participants on ARF matters as well as with Track II institutions and other international organizations.
8. The Ministers appreciated the first compilation of the ARF Register of Experts/Eminent Persons (EEPs) by the ARF Chair circulated to ARF participants. They further encouraged the submission of nominations of experts/eminent persons on a voluntary basis to the ARF Chair.

9. The Ministers recalled the adoption of the "Paper on Concept and Principles of Preventive Diplomacy" as a snapshot of the state of current discussion on PD at the 8th ARF in July 2001 and regarded it as a major achievement in the evolution of the ARF. They noted deliberations on PD by officials and looked forward to further progress in future discussions. In broadening understanding on PD, the Ministers were of the view that inputs from Track I and Track II activities could be useful for future discussions on the subject.
10. The Ministers acknowledged the circulation of the third volume of the ARF Annual Security Outlook (ASO) compiled without editing by the ARF Chair. They welcomed its non-classified release and expressed the view that the submission of the ASO represented an important contribution in promoting transparency and confidence among ARF participants. They encouraged the continued submission of inputs for the next volume of the ASO for circulation at the next inter-sessional year.

Highlight of Issues Discussed

11. The Ministers reviewed the overall security environment of the Asia Pacific and were encouraged by significant developments especially positive signs of recovery and growth in the global economy. They were also encouraged by greater interaction and exchanges among countries in the region especially between the major powers. They were of the view that whilst the security situation remained stable, the region continued to face uncertainties and challenges such as the sustainability of the economic recovery process and the threats of terrorism. The Ministers reiterated the importance of addressing security issues in a comprehensive manner.
12. In assessing regional and international security developments, the Ministers believed that the terrorist acts of 11 September 2001 in the United States had a tremendous impact on the overall security environment. The Ministers recalled the Statement of October 2001 issued by the ARF Chair on behalf of ARF participants and emphasized the need for the ARF to find ways and means to cooperate further in the fight against terrorism. In this regard, they recognized the importance of adding value to the collective and concerted global campaign against terrorism. The Ministers reaffirmed the principles outlined in the relevant UNSC Resolutions related to the Prevention and Suppression of Terrorist Acts and expressed satisfaction that all participants had submitted their reports in compliance with UNSC Resolution 1373. They encouraged early accession to or ratification of relevant international Conventions and Protocols relating to terrorism.
13. The Ministers noted the holding of the Workshop on "Financial Measures Against Terrorism", 24-26 March 2002 in Honolulu, co-chaired by Malaysia and the United States, and the Workshop on "Prevention of Terrorism", 17-19 April 2002 in Bangkok, co-chaired by Thailand and Australia. They expressed appreciation to these countries and, in this regard, welcomed the "ARF Statement on Measures Against Terrorist Financing" issued by the Chairman on behalf of all participants and agreed to review its implementation. They also endorsed the recommendations put forward by the Bangkok Workshop.
14. The Ministers welcomed, in particular, the establishment of an Inter-sessional Meeting on Counter-Terrorism and Transnational Crime (ISM on CT-TC) and noted a Concept Paper submitted by the United States and Malaysia would serve as a good basis for the work of the new ISM. They were of the view that enhanced cooperation against terrorism would further strengthen the ARF. The Ministers expressed appreciation to the United States and Malaysia as Co-Chairmen of the ISM on CT-TC in the next inter-sessional year. They also noted the efforts by participants to promote cooperation to combat terrorism within the framework of the ARF, including the submission of Concept Papers on ARF Dossier on Counter-Terrorism Measures by Japan and on Cyber Terrorism by the Republic of Korea.
15. The Ministers pledged their commitment to strengthen bilateral, regional and international cooperation in combating terrorism comprehensively to make the region a safer place for all. They commended regional and international efforts against terrorism, in particular: the Declaration by APEC Economic Leaders of October 2001 in Shanghai; the 7th ASEAN Summit Declaration of November 2001 on Joint Action to Counter Terrorism in Bandar Seri Begawan; the Declaration by the Shanghai Cooperation Organization; the ASEAN+3 Leaders' commitment to work together against terrorism at the 5th ASEAN + 3 Summit 2001 and the Almaty Act and the Declaration on Eliminating Terrorism and Promoting Dialogue among Civilization issued at the 1st Summit Meeting of the Conference on Interaction and Confidence Building Measures in Asia (CICA).

16. The Ministers welcomed the adoption of the Work Program on Terrorism by the Special ASEAN Ministerial Meeting on Terrorism in Kuala Lumpur and the signing of the Agreement on Information Exchange and the Establishment of Communication Procedures among Indonesia, Malaysia and the Philippines on 7 May 2002. They further welcomed Cambodia's accession to the Agreement on 30 July 2002. They noted the recent meeting of the 22nd ASEANAPOL on 28-30 May 2002 in Phnom Penh, to devise ways of working together in their fight against terrorism.
17. The Ministers noted that further collaboration was needed to support capacity building, in particular to enhance participants' capability to counter terrorism especially in areas such as legal assistance, financial measures, and practical law enforcement cooperation. Ministers were of the view that the management of the consequences of a terrorist attack was a possible area for future ARF activity/work and recommended that this be given further consideration at the next ARF Inter-sessional Meeting.
18. The Ministers emphasized that stable and constructive relations between major powers were key to regional and global peace and security. They welcomed increased cooperation, dialogue and exchanges of visits at the highest level among Leaders in the region.
19. The Ministers expressed concern over the recent naval clash in the Yellow Sea/West Sea, which had heightened tensions in the Korean Peninsula. They noted, however, the latest moves towards the easing of tensions and the resumption of dialogue. They stressed the need to ensure the prevention of the recurrence of such an incident in the future and underlined the importance of promoting Confidence Building Measures. The Ministers expressed the hope that genuine progress would be made for the mutual confidence building between North and South Korea and the enhancement of North and South reconciliation and cooperation. In that regard, they highlighted the importance of the smooth implementation of the 15 June North-South Joint Declaration and the follow-up measures agreed upon during the visit to Pyongyang by the Presidential Envoy of the ROK last April. They also emphasized the importance of the holding of a second Inter-Korean Summit. The Ministers reiterated the importance of the full implementation of the 1994 Agreed Framework including the Korean Peninsula Energy Development Organization (KEDO) project. The Ministers hoped that prospects for dialogue between the DPRK and the United States would improve. They also welcomed the Red Cross Talks between the DPRK and Japan and encouraged further dialogue.
20. The Ministers exchanged views on the situation in the South China Sea and noted that the adoption of a code of conduct in the South China Sea would further promote peace and stability in the region. In this regard, they noted the agreement of ASEAN member countries in respect of ASEAN's new approach as reflected in the Joint Communiqué of the 35th ASEAN Ministerial Meeting. They welcomed ASEAN's resolve to work closely with China on this matter. The Ministers welcomed the parties continued commitment to exercise self-restraint and to the peaceful settlement of disputes in the South China Sea in conformity with recognized principles of international law including the United Nations Convention on the Law of the Sea (UNCLOS).
21. The Ministers welcomed the outcome of the 7th ASEAN Summit, 5th ASEAN + 3 and ASEAN + 1 Summits on 5-6 November 2001 in Bandar Seri Begawan. They commended efforts at economic reform, integration and cooperation in the region. These included ASEAN's commitment to further accelerate its economic integration, embarking on far reaching economic cooperation, bridging the development gap in ASEAN, measures pursued via APEC and bilateral free trade agreements, consistent with the goals of the Doha Development Agenda. The Ministers also welcomed the commitment amongst Heads of State/Government of ASEAN, the People's Republic of China, Japan and the Republic of Korea in building a closer East Asian partnership to further contribute to regional peace, stability and prosperity. The Ministers further welcomed the upcoming 1st ASEAN + India Summit to be held in Phnom Penh in November 2002.
22. The Ministers reiterated support for the territorial integrity and national unity of Indonesia and expressed the view that durable stability, economic prosperity and democratization would contribute to peace, stability and development in the region.
23. The Ministers recognized the importance of purposes and principles contained in the Treaty of Amity and Cooperation in Southeast Asia (TAC) as a basis for the promotion of cooperation, amity and friendship in Southeast Asia and between ASEAN and ARF participants.

24. The Ministers noted the on-going consultations between ASEAN and the Nuclear Weapon States regarding the latter's signing to the Protocol of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ). The Ministers reiterated their support to the P5 Joint Statement concerning security assurances for Mongolia and to its nuclear-free status.
25. The Ministers welcomed the independence of East Timor (Lorosae) on 20 May 2002 and reiterated their support for the building of an independent state. In this regard, they emphasized the need for continued assistance from the international community in the reconstruction and development of the Democratic Republic of East Timor (DRET) in all areas. They expressed support for the activities of the United Nations Mission in East Timor (UNMISET). Ministers also appreciated the Government of Indonesia's support of DRET's independence and the development of strong bilateral relations.
26. The Ministers welcomed the recent developments in Myanmar that signified the important achievements in Myanmar's national reconciliation process, unity and economic progress. The Ministers expressed the hope that the Government of Myanmar would take steps in further consolidating such progress.
27. The Ministers exchanged views on the situation in South Asia and recognized the close link between peace, security and stability in the region and in the rest of the world and noted recent efforts in easing tension between India and Pakistan. The Ministers further called for an immediate end to all terrorist activities in the region as an essential step to de-escalate the situation. While welcoming its commitment to counter terrorism, Ministers earnestly looked to Pakistan to take urgent further steps to implement it. This would constitute an important step towards resumption of dialogue, strengthening of cooperation and resolution of differences through peaceful means to promote regional and international security and stability.
28. Ministers welcomed the signing of the Bougainville Peace Agreement on 31 August 2001 and the subsequent positive steps towards securing peace on Bougainville, including the passage of the necessary legislation through the Papua New Guinea Parliament in March 2002. Ministers welcomed the restoration of democracy in Fiji through the elections held in August-September 2001 and noted the continuing security challenges facing other Pacific Island governments, including Solomon Islands.
29. The Ministers welcomed the convening of the Loya Jirga and the subsequent formation of the Transitional Government of Afghanistan and its efforts towards creating lasting peace in Afghanistan, thus contributing to peace and stability in that region. The Ministers expressed satisfaction on the outcome of the Pledging Conference on the Reconstruction Assistance of Afghanistan in Tokyo this year and called on the international community for the prompt implementation of its support on the reconstruction of Afghanistan.
30. The Ministers noted that preventing the proliferation of weapons of mass destruction and their means of delivery directly engages the region's fundamental security interests. Ministers further noted that the terrorist attacks of 11 September 2001 underlined the importance of participants renewing and fulfilling their individual and collective commitments to multilateral cooperation in the field of arms control, disarmament and non-proliferation. In the area of conventional arms control, Ministers noted the importance of efforts by ARF participants to implement the UN Program of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All its Aspects such as the regional seminar jointly sponsored by the Philippines and Canada in Manila on 9-10 July 2002.
31. The Ministers noted with satisfaction that preparations were underway for the 2005 Review Conference of the States Parties to the Non-Proliferation Treaty (NPT) with the first session of the Preparatory Committee for the 2005 Review Conference held in New York from 8-19 April 2002. The Ministers reaffirmed that the Nuclear Non-Proliferation Treaty (NPT) remained the cornerstone of the nuclear non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. They regarded that preserving and strengthening the NPT would be vital to peace and security. They noted the calls at the Preparatory Committee for States to accede to the NPT, the comprehensive safeguards of the International Atomic Energy Agency, and to the Additional Protocol to NPT Safeguards Agreement.

32. The Ministers acknowledged that states at the CTBT Conference on 11-13 November 2001 in New York had renewed the commitment to work towards universal ratification of the Treaty and its early entry into force. The Ministers reaffirmed the importance for all states to maintain the existing moratorium on nuclear testing and reiterated the call for all states to work towards the objective of total elimination of nuclear weapons.
33. The Ministers expressed the hope that the re-convened session of the 5th BTWC Review Conference to be held in November 2002 would make progress in efforts to strengthen the Biological and Toxin Weapons Convention (BTWC), especially by agreeing to hold annual meetings of State Parties. They also underlined the importance of ensuring that the First Review Conference of the Chemical Weapons Convention (CWC) in April/May 2003 is a success. They recognized the importance of promoting universality of the CWC and BWC.

Reports of Track I and II Activities for the Current Inter-sessional Year (July 2001-July 2002)

Track I

34. The Ministers noted with satisfaction the successful implementation of Track I and II activities during the current inter-sessional year (July 2001-July 2002). They noted, in particular, the Co-Chairmen's Summary Report of the Meetings of the ARF Inter-sessional Support Group on Confidence Building Measures (ISG on CBMs), co-chaired by India and Viet Nam, held in New Delhi, India 19-21 December and in Ha Noi, Viet Nam 21-23 April 2002. The Ministers commended the work of the ISG on CBMs in advancing the ARF process. They endorsed the recommendations contained in the above-mentioned report.
35. The Ministers also noted the following activities which took place under the auspices of the ISG on CBMs:
- 35.1 The Second Law of the Armed Conflict Seminar in Bangkok on 7-10 August 2001.
 - 35.2 Workshop for Mid-Level ARF Civilian and Defense Officials on Preventive Diplomacy in Brunei on 10-14 September 2001.
 - 35.3 Fifth ARF Meeting of Heads of Defense Colleges/Institutions in Tokyo on 28-31 August 2001.
 - 35.4 ARF Peacekeeping Seminar: Best Practices and Lessons Learned in New Delhi on 20-21 March 2002.
 - 35.5 ARF Workshop on Financial Measures Against Terrorism in Honolulu on 24-26 March 2002.
 - 35.6 ARF Workshop on Prevention of Terrorism in Bangkok on 17-19 April 2002.
36. The Ministers also endorsed the Concept Papers on "A Recording Mechanism of ARF CBMs" and "Defense Dialogue within the ASEAN Regional Forum" prepared by New Zealand and Singapore respectively.

Track II

37. The Ministers took note of the paper submitted by CSCAP entitled "ARF in the 21st Century" and the outcome of the Workshop on Preventive Diplomacy organized by CSCAP and the Institute of International Relations Viet Nam. They welcomed efforts to enhance linkages between Track I and Track II in particular ASEAN-ISIS, CSCAP and other institutions. They expressed the view that inputs from Track II could be further discussed by Track I.
38. The Ministers encouraged ASEAN and Russia to continue their work on the draft Pacific Concord.

Program of Work for the Next Inter-Sessional Year (July 2002-July 2003)

39. The Ministers agreed that the ISG on CBMs continue their work and welcomed the offer by Laos and New Zealand to co-chair the ISG on CBMs in the next inter-sessional year. Ministers also noted that the next ISG on CBMs would be held in Wellington, New Zealand on 20-22 November 2002. The second meeting of the ISG on CBMs will be held in Vientiane, Lao PDR on 26-28 March 2003.
40. The Ministers endorsed the program of work for the next inter-sessional year (July 2002-July 2003).

Future Direction of the ARF Process

41. The Ministers reaffirmed their commitment in further strengthening the ARF as an effective forum for political and security dialogue and cooperation in the evolving security situation in the Asia Pacific region.
42. The Ministers emphasized the importance of the evolutionary approach of the ARF process from confidence building to preventive diplomacy and elaboration of approaches to conflicts. They underscored the ARF process of decision-making by consensus, moving at a pace comfortable to all ARF participants and ASEAN's role as the primary driving force of the ARF process.
43. The Ministers endorsed the recommendations contained in Brunei Darussalam's Paper on "Stock-taking of the ARF Process" and encouraged their effective implementation. They shared the view that enhanced cooperation against terrorism would help further strengthen confidence building in the ARF.
44. The Ministers welcomed the enhanced role of the chair in particular assigning the ASEAN Secretariat to assist the ARF Chairman in coordinating the work of the ARF and in this connection, recalled the roles recommended by the ISG on CBMs. They noted that some of these roles have been carried out and encouraged further implementation. Ministers noted other recommendations contained in the initial Brunei Darussalam paper circulated on 5 May 2002 and a number of participants were of the view that these could be considered in the future. These included an Inter-sessional Group on Weapons of Mass Destruction, an Inter-sessional Group on Preventive Diplomacy and establishment of an early-warning system.
45. While, the ARF process should further consolidate and broaden its work in confidence building measures to promote trust, understanding and cooperation among ARF participants, the Ministers also recognized the importance of making further progress on PD. The Ministers underlined the ARF's work in tackling terrorism represented a milestone in the ARF's development of a preventive role.
46. On the expansion of the ARF, Ministers noted the intention of DRET to join ARF. The Ministers also noted that Pakistan had renewed its application to join the ARF. They welcomed the suggestion that the expansion of the ARF be kept under review.
47. The Ministers expressed satisfaction with the progress in exploring the overlap between CBMs/PD. In strengthening the four CBM/PD overlap measures, namely the enhanced role of the ARF Chair, the ARF Registers of Experts/Eminent Persons, the Annual Security Outlook and voluntary background briefing on regional security issues, they agreed that the ARF further intensifies its work in implementing them as well as further exploring the overlap between CBMs and PD.

Annex 144

Association of Southeast Asian Nations, *Declaration on the Conduct of Parties in South China Sea*
(4 Nov. 2002)

DECLARATION ON THE CONDUCT OF PARTIES IN THE SOUTH CHINA SEA

The Governments of the Member States of ASEAN and the Government of the People's Republic of China,

REAFFIRMING their determination to consolidate and develop the friendship and cooperation existing between their people and governments with the view to promoting a 21st century-oriented partnership of good neighbourliness and mutual trust;

COGNIZANT of the need to promote a peaceful, friendly and harmonious environment in the South China Sea between ASEAN and China for the enhancement of peace, stability, economic growth and prosperity in the region;

COMMITTED to enhancing the principles and objectives of the 1997 Joint Statement of the Meeting of the Heads of State/Government of the Member States of ASEAN and President of the People's Republic of China;

DESIRING to enhance favourable conditions for a peaceful and durable solution of differences and disputes among countries concerned;

HEREBY DECLARE the following:

1. The Parties reaffirm their commitment to the purposes and principles of the Charter of the United Nations, the 1982 UN Convention on the Law of the Sea, the Treaty of Amity and Cooperation in Southeast Asia, the Five Principles of Peaceful Coexistence, and other universally recognized principles of international law which shall serve as the basic norms governing state-to-state relations;
2. The Parties are committed to exploring ways for building trust and confidence in accordance with the above-mentioned principles and on the basis of equality and mutual respect;
3. The Parties reaffirm their respect for and commitment to the freedom of navigation in and overflight above the South China Sea as provided for by the universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea;
4. The Parties concerned undertake to resolve their territorial and jurisdictional disputes by peaceful means, without resorting to the threat or use of force, through friendly consultations and negotiations by sovereign states directly concerned, in accordance with universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea;
5. The Parties undertake to exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability including among others, refraining from action of inhabiting on the presently uninhabited islands, reefs, shoals, cays, and other features and to handle their differences in a constructive manner.

Pending the peaceful settlement of territorial and jurisdictional disputes, the Parties concerned undertake to intensify efforts to seek ways, in the spirit of cooperation and understanding, to build trust and confidence between and among them, including:

- a. holding dialogues and exchange of views as appropriate between their defense and military officials;
- b. ensuring just and humane treatment of all persons who are either in danger or in distress;
- c. notifying, on a voluntary basis, other Parties concerned of any impending joint/combined military exercise; and
- d. exchanging, on a voluntary basis, relevant information.

6. Pending a comprehensive and durable settlement of the disputes, the Parties concerned may explore or undertake cooperative activities. These may include the following:

- a. marine environmental protection;
- b. marine scientific research;
- c. safety of navigation and communication at sea;
- d. search and rescue operation; and
- e. combating transnational crime, including but not limited to trafficking in illicit drugs, piracy and armed robbery at sea, and illegal traffic in arms.

The modalities, scope and locations, in respect of bilateral and multilateral cooperation should be agreed upon by the Parties concerned prior to their actual implementation.

7. The Parties concerned stand ready to continue their consultations and dialogues concerning relevant issues, through modalities to be agreed by them, including regular consultations on the observance of this Declaration, for the purpose of promoting good neighbourliness and transparency, establishing harmony, mutual understanding and cooperation, and facilitating peaceful resolution of disputes among them;
8. The Parties undertake to respect the provisions of this Declaration and take actions consistent therewith;
9. The Parties encourage other countries to respect the principles contained in this Declaration;
10. The Parties concerned reaffirm that the adoption of a code of conduct in the South China Sea would further promote peace and stability in the region and agree to work, on the basis of consensus, towards the eventual attainment of this objective.

Done on the Fourth Day of November in the Year Two Thousand and Two in Phnom Penh, the Kingdom of Cambodia.

For Brunei Darussalam



Mohamed Bolkiah
Minister of Foreign Affairs

For the People's Republic of China



Wang Yi
Special Envoy and
Vice Minister of Foreign Affairs

For the Kingdom of Cambodia



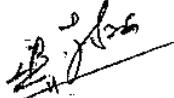
HOR Namhong
Senior Minister and Minister of
Foreign Affairs and International Cooperation

For the Republic of Indonesia



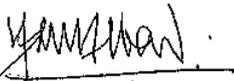
Dr. Hassan Wirayuda
Minister for Foreign Affairs

For the Lao People's Democratic Republic



Somsavat Lengsavat
Deputy Prime Minister and
Minister for Foreign Affairs

For Malaysia



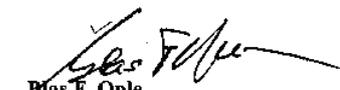
Datuk Seri Syed Hamid Albar
Minister of Foreign Affairs

For the Union of Myanmar



Win Aung
Minister for Foreign Affairs

For the Republic of the Philippines

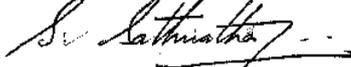


Blas F. Ople
Secretary of Foreign Affairs

For the Republic of Singapore


Prof. S. Jayakumar
Minister for Foreign Affairs

For the Kingdom of Thailand


Dr. Surakiart Sathirathai
Minister of Foreign Affairs

For the Socialist Republic of Viet Nam


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Minister of Foreign Affairs

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Annex 145

Association of Southeast Asian Nations, *Joint Communiqué: 36th ASEAN Ministerial Meeting* (17 June 2003)

Joint Communiqué of the 36th ASEAN Ministerial Meeting Phnom Penh, 16-17 June 2003

1. We, the Ministers of Foreign Affairs of the Association of Southeast Asian Nations (ASEAN), met in Phnom Penh on 16-17 June 2003, the first time that Cambodia had hosted our annual regular meeting.

The meeting was chaired by H.E. Mr. H OR Namhong, Senior Minister and Minister of Foreign Affairs and International Cooperation of the Kingdom of Cambodia.

2. Present for the event was Honorable Sir Rabbie Namaliu, Minister for Foreign Affairs and Immigration of Papua New Guinea, a special observer in ASEAN. His Excellency Mr. José Ramos-Horta, Senior Minister and Minister of Foreign Affairs and Cooperation of the Democratic Republic of Timor-Leste, was present as guest of the Chairman of the 36th ASEAN Standing Committee.

3. His Excellency Samdech Hun Sen, Prime Minister of Cambodia, favored us with a keynote address, which we deeply appreciated. In his address, His Excellency the Prime Minister stressed the achievements of ASEAN in contributing to regional peace and security, Southeast Asia's sense of identity, and the political, security, economic, trade, investment and financial architecture of the region. He cited in particular the agreements and decisions reached at the 8th ASEAN Summit in Phnom Penh in terms of ASEAN's economic integration and solidarity. His Excellency Prime Minister Hun Sen urged the ASEAN Foreign Ministers to accomplish six tasks:

Ø

exercising political leadership in promoting ASEAN cooperation and integration;

Ø

effectively coordinating the implementation of the Initiative for ASEAN Integration and other programs for the development of the Mekong Basin and ensuring their consistency with one another;

Ø

taking a leading political role in the implementation of the recommendations of the East Asia Study Group for advancing the ASEAN+3 process;

Ø

ensuring the coordinated implementation of the ASEAN Tourism Agreement and of the measures agreed upon for overcoming the impact of SARS and promoting Southeast Asia as a SARS-free region;

Ø

making sure that the Declaration on the Conduct of Parties in Southeast Asia are observed and implemented; and

Ø

taking a leadership role in carrying out measures to combat international terrorism.

4. With the theme "Towards an ASEAN Economic Community – Integrated and Outward-Looking," we explored ways for deeper regional integration, while further devoting attention to the Initiative for ASEAN Integration and the ASEAN Tourism Agreement.

5. We exchanged views on some of the most critical issues of our time, including the threat of international terrorism. We were gratified by ASEAN's ability to respond quickly to critical developments affecting Southeast Asia, recalling in particular the Special ASEAN Leaders' Meeting and the Special ASEAN-China Leaders' Meeting on SARS on 29 April 2003 in Bangkok to work out cooperative measures for dealing with SARS and our informal meeting in Karambunai, Malaysia, to address the effects of the situations in Iraq and Korea on the region and our countries. We agreed that these developments provided ASEAN with not only

challenges but also opportunities to enhance ASEAN solidarity and cooperation.

6. In this new context, we resolved to continue to build upon the basic principles and fundamental values by which ASEAN has recorded considerable achievements. We committed ourselves to further strengthening solidarity and cohesiveness in ASEAN's traditional spirit. We attached great importance to further promoting ASEAN's resilience and cooperation in the spirit of "prosper thy neighbor" and self-help. We resolved to redouble our efforts in deepening economic integration and narrowing the development gap. We reaffirmed our commitment to remain outward-looking and, in this light, resolved to enhance equal partnership and cooperation with countries outside the region, particularly our Dialogue Partners, and with international institutions. We committed ourselves to joining efforts with others in the international community in striving for a world of peace, stability and justice.

7. We

placed our support behind the process of dialogue and consultation on the situation on the Korean peninsula and stressed the importance of a nuclear weapons-free Korea. We called for a central and vital role for the United Nations in a post-war Iraq. We reiterated our determination to cooperate in the fight against international terrorism.

ASEAN INTEGRATION

Regional Economic Integration

8. Keenly aware that regional economic integration is crucial for ASEAN's competitiveness, we reaffirmed the need to move deeper economic integration toward an ASEAN economic community. We commended the work of the ASEAN Economic Ministers, the High Level Task Force on ASEAN economic integration and the Senior Economic Officials in this regard. In this light, we were gratified by the progress being made in the efforts to develop ideas for the content and direction of the next stage regional economic integration. We appreciated the briefing given us at this meeting on the full report of the ASEAN Competitiveness Study, which had been commissioned by the ASEAN Economic Ministers. We noted with appreciation the studies on the ASEAN Economic Community (AEC) done by the Institute of Southeast Asian Studies, the ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS), and the ASEAN Secretariat. Recognizing the importance of business inputs for deeper regional economic integration, we encouraged the ASEAN Business Advisory Council to provide inputs and suggestion on the ASEAN economic community. We noted with appreciation the European Commission's readiness to share with ASEAN the European Union's experience with regional economic integration. We requested the ASEAN Secretariat to pursue the matter with the European Commission. We directed our Senior Officials to look into the political implications of the ASEAN economic community for the future of ASEAN.

9. We had extensive discussions on the concept of the ASEAN Economic Community. We agreed to ensure that the AEC would further contribute to narrow and close the development gap within ASEAN. In this regard, we recognized that deepening ASEAN economic integration and establishing an ASEAN Economic Community would have profound implications for ASEAN's institutions and practices; for example, in matters pertaining to the enforceability of and compliance with ASEAN agreements, the settlement of disputes, the coordination of national policies, the mandate and capacity of the ASEAN Secretariat, and the resources available for ASEAN purposes. Accordingly, we directed the

ASEAN Senior Officials Meeting, the ASEAN Standing Committee and the ASEAN Secretariat to work thoroughly on these matters and report to us at the earliest opportunity. We agreed to submit our views on the AEC to the 9th ASEAN Summit in Bali in October 2003.

10. We reviewed the Hanoi Plan of Action and agreed that the next Plan of Action should focus on regional economic integration, while further narrowing the development gap within the region.

ASEAN Tourism Agreement

11.

We reiterated our gratification over the signing by ASEAN's leaders of the ASEAN Tourism Agreement (ATA) in Phnom Penh on November 2002. Stressing the great importance of tourism to the development of our countries and noting that the implementation of the ATA was the responsibility of various national agencies and ASEAN bodies, we called for the early negotiation and conclusion of the agreements and other instruments necessary for the realization of the ATA's purposes. We directed the ASEAN Standing Committee and the ASEAN Secretariat, working together with the ASEAN Tourism Ministers and the National Tourism Organizations, to support this task. We called on the developed countries to refrain from indiscriminately issuing travel advisories that adversely affect trade and tourism in the region. Initiative for ASEAN Integration and the Mekong

Basin

12. We reaffirmed the critical political and economic significance of IAI in narrowing the development gap in ASEAN and strengthening the competitiveness of ASEAN as a whole. In this connection, we called for closer coordination among ASEAN bodies to accelerate activities within the framework of the IAI and the Ha Noi Declaration on Narrowing the Development Gap for closer ASEAN Integration. Recalling that the 8th ASEAN Summit had approved the Work Plan for the Initiative for ASEAN Integration as a priority for ASEAN, we were gratified by the efforts of the member-countries to implement the Work Plan. Noting that the newer members had incorporated several elements of the IAI in their national policies and national development plans, we encouraged the international community to extend concrete support to the projects embodied in the IAI Work Plan. In the long run, an integrated ASEAN with open markets would serve the economic interests of ASEAN as well as its trading partners.

13. We reviewed ASEAN-China cooperation on the development of the Mekong Basin within the ASEAN Mekong Basin Development Cooperation (AMBDC) framework. We reiterated our call on Japan and the Republic of Korea to consider participating in the core group of the AMBDC, and the international community and international financial institutions to support the completion of the Singapore-Kunming Rail Link, specifically the construction of the missing segments of this project. Recalling the first GMS summit in Phnom Penh on 3 November 2002, we expressed our appreciation for the Greater Mekong Sub-region program of the Asian Development Bank. We urged that the various programs for the development of the Mekong Basin be undertaken in close coordination to ensure the equitable and sustainable development of the basin, taking into account the interests of all countries, the concerns of the downstream countries, and the protection of the environment.

Sub-Regional Growth Areas

14. We acknowledged the contribution of the sub-regional growth areas in hastening regional integration, generating employment and raising the standard of living of people in these areas. Recognizing the importance of balanced development of various growth areas, we agreed on the need to attract investors and development assistance. We commended the Asian Development Bank for its study on Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA).

POLITICAL AND SECURITY COOPERATION

Political Cooperation

15. In discussing political and security cooperation, we considered a wide range of issues without prejudice to the cardinal principle of non-interference.

16. We acknowledged the equally significant importance of the political security cooperation in the process of achieving ASEAN integration. We agreed to continue considering this component of integration that will ensure peace, stability, and prosperity in the region.

17. We re-affirmed our support for the sovereignty, territorial integrity and national unity of Indonesia. We recognized the efforts of the Indonesian Government to restore peace and order in Aceh. We also pledged our support to deny the separatist movement access to means of violence through, among all, preventing arms smuggling into the Aceh province.

18. We discussed the recent political developments in Myanmar, particularly the incident of 30 May 2003. We noted the efforts of the Government of Myanmar to promote peace and development. In this connection, we urged Myanmar to resume its efforts of national reconciliation and dialogue among all parties concerned leading to a peaceful transition to democracy. We welcomed the assurances given by Myanmar that the measures taken following the incident were temporary and looked forward to the early lifting of restrictions placed on Daw Aung San Suu Kyi and the NLD members. We also reaffirmed our continued support for the efforts of the UNSG Special Representative Tan Sri Razali Ismail.

Terrorism

19. We reiterated our condemnation of terrorism in all its forms and manifestations. At the same time, we emphasized the need to address the root causes of terrorism and rejected any attempt to associate terrorism with any religion, race, nationality or ethnic group. We reviewed, with satisfaction, the intensified cooperation among ASEAN member-countries in the fight against terrorism, which had made possible the arrest of persons engaged in terrorist activities and helped prevent the occurrence of terrorist acts. We renewed our resolve to pursue the purposes of the Declaration on Terrorism issued by the 8th ASEAN Summit on 4

November 2002. We affirmed our resolve to continue working with our law-enforcement authorities in carrying out the specific measures laid down in the ASEAN Declaration on Joint Action to Counter Terrorism, which the ASEAN leaders issued in

November 2001, and in the work plan adopted by the Special ASEAN Ministerial Meeting on Terrorism in May 2002.

20.

We renewed our determination to cooperate closely with the international community in combating international terrorism. We were gratified by the results of the International Conference on Anti-Terrorism and Tourism Recovery in Manila in November 2002, the Regional Conference on Combating Money-Laundering and Terrorist Financing in Bali in December 2002, and the Inter-sessional Meeting on Counter-Terrorism and Transnational Crime of the ASEAN Regional Forum in K arambunai in March 2003. We welcomed the success of the ASEAN Senior Officials Meeting on Transnational Crime and the first-ever SOMTC+3 and SOMTC+1 meetings with China, the European Union and the United States on 9-13 June 2003 in Ha Noi. We looked forward to the implementation of the undertakings that we made with the Secretary of State of the United States of America in our joint declaration of 1 August 2002 and the commitments that we undertook with our European Union counterparts in the joint declaration that the ASEAN-EU Ministerial Meeting issued on 28 January 2003. We also looked forward to further discussion of cooperation against international terrorism at both the ASEAN Regional Forum and the Post-Ministerial Conferences in the days ahead and particularly to the issuance of an ARF Statement on Cooperative Counter-Terrorist Actions on Border Security .

21. We welcomed the establishment of the Southeast Asia Regional Centre for Counter-Terrorism in Kuala Lumpur.

Transnational Crime

22. Reaffirming our resolve to combat transnational crime, we noted with appreciation the progress

of the Work Programme to Implement the ASEAN Plan of Action to Combat Transnational Crime and urged member countries to maintain the momentum of joint activities. In this regard, we appreciated the convening by Brunei Darussalam, Indonesia, Malaysia and Thailand of ASEAN workshops under the Work Programme and urged other member countries to undertake similar capacity-building measures for combating transnational crime. We were pleased with the cooperation initiated with China, Japan and the Republic of Korea, the European Union, and the United States in combating transnational crime. We looked forward to the 4th ASEAN Ministerial Meeting on Transnational Crime (AMMTC) and AMMTC+3 in Bangkok in December 2003.

23.

We affirmed our determination to ensure the implementation of the commitments made by our leaders and the Premier of the State Council of the People's Republic of China in the joint statement that they adopted in Phnom Penh on 4 November 2002 providing for cooperation on non-traditional security issues, including drug-trafficking, people-smuggling, trafficking in women and children, sea piracy, terrorism, arms smuggling, money laundering, international economic crime, and cyber crime.

24. We welcomed the outcome of the Second Regional Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime in Bali on 29 April 2003. We urged the international community to assist source countries in addressing the root causes of the illegal movement of people, contribute to support programs for displaced persons, and help in alleviating the plight of refugees.

25.

We placed particular importance on international cooperation against piracy and other threats to maritime security and looked forward to discussing this critical issue at the ASEAN Regional Forum with a view to the issuance of an ARF statement in this regard.

South China Sea

26. We reaffirmed the Declaration on the Conduct of Parties in the South China Sea,

which we signed with China in Phnom Penh on 4 November 2002 , as an important step towards a Code of Conduct in the South China Sea and as a valuable contribution to peace and stability in the region. We stressed the need for observance of the provisions of the Declaration and urged all concerned parties to undertake the confidence-building and cooperative measures called for in accordance with the Declaration. We reiterated our call for continued self-restraint and the avoidance of any action that would complicate the situation in the South China Sea. We emphasized the need for all concerned to seek to deal with the disputes in the South China Sea by peaceful means in conformity with international law, including the United Nations Convention on the Law of the Sea. We encouraged the continuation of the informal Workshops on Managing Potential Conflict in the South China Sea. Treaty of Amity and Cooperation

27. We reaffirmed the importance of the Treaty of Amity and Cooperation in Southeast Asia as a framework for governing

relations within ASEAN and between ASEAN and countries outside the region. We warmly welcomed the decision of the People's Republic of China to accede to the Treaty and the intention of India and Russia to do so in the near future.

ASEAN Regional Forum

28. We reviewed the achievements of the ASEAN Regional Forum over the past ten years and concluded that the ARF had become a unique and indispensable forum for political and security dialogue and cooperation in the Asia-Pacific. We

acknowledged the important responsibility borne by ASEAN as the driving force of the ARF. While reaffirming the need to continue our focus on CBMs as the foundation of the whole ARF process, we underlined the significance of moving toward the second stage of Preventive Diplomacy on the basis of consensus and at a pace comfortable to all. We commended the initiative of the ARF Chairman, the Minister of Foreign Affairs and International Cooperation of Cambodia, as part of the enhanced role of the ARF Chair and of preventive diplomacy.

29. We agreed to lift the moratorium, and to consider the application of new participants of ARF on a case-by-case basis. We agreed to accept Pakistan as a new participant in the ARF. In this regard, we decided to communicate our consensus to non-ASEAN ARF participants.

FUNCTIONAL COOPERATION

Health

30.

We affirmed our determination to do our part in carrying out the decisions reached at the Special ASEAN Leaders' Meeting on SARS and the Special ASEAN-China Leaders' Meeting on SARS, which we considered as exemplifying ASEAN's response to crises – quick, coordinated, pragmatic and flexible. Welcoming the declaration by the World Health Organization that the SARS affected ASEAN countries had brought the disease under control, we were pleased by the fact that all of ASEAN was now SARS free. We reiterated the ASEAN leaders' call on other countries to take measures to combat SARS similar to those being taken by ASEAN and to refrain from issuing indiscriminate travel advisories on account of SARS. We expressed our appreciation for the cooperation of China, Japan and the Republic of Korea with ASEAN in combating SARS as well as the work of WHO.

31. We noted with satisfaction the progress of the implementation of the ASEAN Work Programme on HIV/AIDS II (2002-2005). We also noted that multi-sectoral cooperation on HIV/AIDS was being promoted by the inclusion of the subject in a number of ASEAN meetings. In this regard, we welcomed the convening of the 15th International Conference on AIDS to be held in Bangkok on 11-16 July 2004. We expressed our appreciation for UNAIDS, other international organizations and ASEAN's Dialogue Partners for supporting the operationalization of the Work Programme.

Environment

32. We expressed our support for the ASEAN Environment Year, which was launched in Siem Reap in March 2003. Recognizing the vital importance of regional and international cooperation in preventing and combating trans-boundary haze pollution and mitigating its effects, we welcomed the ratification of the ASEAN Agreement on Transboundary Haze Pollution by five member-countries. We called on the other member-states to ratify the Agreement as soon as possible in order to ensure its early entry into force. We affirmed our commitment to its implementation as soon as possible. We commended the ASEAN Environment M

inisters for ASEAN's contribution to the World Summit on Sustainable Development and to the work of ensuring the implementation of its decisions.

Drugs

33.

Recalling the designation of 2002-2003 as "ASEAN Drugs Awareness Years," we renewed our resolve to support ASEAN's commitment to achieve an ASEAN Drugs-Free Zone by 2015 and welcomed the implementation of projects such as the Study Trip on Drug Control Activities in Thailand for ASEAN Directors-General and Heads of Narcotics Control Focal Points of ASEAN and China, from 12 to 15 September 2002. We commended the national support given to the campaign by each member-country, particularly the collaboration among governments, non-governmental organizations and the mass media as well as efforts and cooperation framework among countries in the region. We welcomed the convening of the first meeting of the ASEAN-European Commission Sub-Committee on Narcotics in October 2002 in Kuala Lumpur. We also welcomed the

launching of the ACCORD (ASEAN-China Cooperative Operations in Response to Dangerous Drugs) Regional Information Network and the establishment of the ACCORD Account to finance drug-control projects in ASEAN and China.

Other Areas of Cooperation

34. We commended the vital work done in the past year by ASEAN ministers and officials in several areas of ASEAN functional cooperation, including science and technology, health, labor, law, rural development and poverty eradication, and culture and information. We affirmed our support for their work, which has contributed significantly for the betterment of our peoples' lives.

We noted in particular the augmentation of the ASEAN Science Fund, the standardization of agriculture-related products, including pesticides, livestock, animal vaccines and forest products, and the many activities in culture and information that serve to expand awareness of ASEAN and help develop a stronger sense of regional identity.

35. We recognized the importance of the sea in trade, transportation and communication activities for all member countries. As it offers both opportunities and challenges, we stressed the need to cooperate to deal with maritime-related issues as well as to discuss their impact and implications in a comprehensive manner.

36.

We reaffirmed our commitment to the protection and promotion of human rights. In this regard, we noted the ongoing ASEAN efforts and dialogues with the non-governmental Working Group for an ASEAN Human Rights Mechanism. We took note of the meeting between the ASEAN Senior Officials and the Working Group for an ASEAN Human Rights Mechanism in Phnom Penh on 14 June 2003 and the Track II conference on human rights held in Bangkok on 28-29 May 2003. We also noted the establishment of national human rights mechanisms in some Member Countries.

EXTERNAL RELATIONS

37. We were satisfied with the progress being made in ASEAN+3 cooperation. We noted in particular that

twelve bilateral currency swap arrangements had already been concluded by the ASEAN +3 countries, with an aggregate amount of US\$31.5 billion, to form the network of such arrangements envisioned in the Chiang Mai Initiative. We also welcomed the launching of the ASEAN+3 Pilot Scheme to establish an ASEAN/East Asia Emergency Rice Reserve to strengthen food security in the region.

38. Recalling that the leaders of ASEAN, China, Japan and the Republic of Korea had, at the ASEAN+3 Summit on 4 November 2002, adopted the Final Report of the East Asia Study Group, which they had received from the Prime Minister of the Republic of Korea, we directed our officials to coordinate the implementation of the short-term and long-term measures recommended by the Final Report for the purpose of strengthening East Asian cooperation, including the possibility of an East Asia summit and of an East Asia free trade area.

We called for the expeditious formulation and implementation of concrete projects to carry out the short-term measures.

39. We reaffirmed our support for the implementation of the Framework Agreement on Comprehensive Economic Cooperation between ASEAN and China, which our leaders and the Premier of the State Council of the People's Republic of China signed in Phnom Penh on 4 November 2002. We recalled that the Agreement provides for the creation of an ASEAN-China free trade area within ten years, the liberalization of and cooperation on trade in goods and trade in services, the liberalization of, cooperation in and the protection of investments, and cooperation in other areas of economic endeavor. We welcomed in particular the consideration given in the Agreement to the disparities between ASEAN countries in their levels of development. We were confident that the implementation of the agreement would result not only in the expected economic benefits for both ASEAN and China but also in stronger overall ASEAN-China relations, and thus contribute to the security and stability of this part of the world. We also welcomed the preferential tariff treatment that China is extending to the least-developed countries in ASEAN and the write-off of their debts to China.

40. We were gratified by the signing in Phnom Penh on 5 November 2002 of the Joint Declaration of the Leaders of ASEAN and Japan on the Comprehensive Economic Partnership (CEP). We welcomed, in particular, the fact that the CEP would encompass concrete projects and allow for flexible treatment for ASEAN's new members in addition to the special and differential treatment for developing countries called for in WTO. We noted with gratification the steps that had been taken to establish the joint committee that would draft a framework agreement for the realization of the CEP. We reviewed with satisfaction the activities that had taken place so far in observance of the ASEAN-Japan Exchange Year 2003. They would culminate in an ASEAN-Japan Commemorative Summit celebrating the 30th anniversary of ASEAN-Japan relations. Commending the Initiative for Development in East Asia (IDEA) by the Prime Minister of Japan, we reiterated our satisfaction with the conduct and outcome of

the IDEA ministerial meeting in Tokyo in August 2002. We looked forward to an early implementation of its decisions.

41. We hailed the historic first meeting of the leaders of ASEAN and India in Phnom Penh on 5 November 2002. Noting their decision to meet annually henceforth, we agreed to ensure that follow-through action is taken on the measures agreed upon by our leaders and the Prime Minister of India for strengthening political, economic and cultural cooperation between ASEAN and India, on which we shall report to the ASEAN-India Summit in October this year. These measures include the pursuit of the ASEAN-India Regional Trade and Investment Area previously agreed upon. We were pleased to note that ASEAN and India had been working on a Framework Agreement on Comprehensive Economic Cooperation with a view to its signing at the 2nd ASEAN India Summit in Bali in October 2003.

42. We welcomed the groundwork that had been laid for carrying out the Enterprise for ASEAN Initiative proposed by the United States of America on 26 October 2002 to strengthen economic ties, including possible free trade areas, between the United States and individual ASEAN countries. We looked forward to the conclusion of an ASEAN-U. S. Trade and Investment Facilitation Agreement (TIFA). We expressed our expectation that the Enterprise for ASEAN Initiative would be realized for all ASEAN member-states in the shortest possible time. We also welcomed the U. S. initiative for an ASEAN Cooperation Plan and looked forward to the implementation of projects under the plan.

43. We reviewed the results of the 14th ASEAN-EU Ministerial Meeting (AEMM) in Brussels on 27-28 January 2003. We recalled the AEMM's discussion of our priorities for future ASEAN-EU cooperation and our agreement to develop, in line with those priorities, an agenda encompassing trade and investment promotion, sustainable and equitable development, the fight against crime and terrorism, cultural cooperation and people-to-people contacts, and dialogue on common concerns. We looked forward to the development of concrete measures, projects and mechanisms to carry out this agenda. We welcomed the decision reached at the consultations between the ASEAN Economic Ministers and the EU Trade Commissioner in Luang Prabang, Laos, on 4 April 2003 to work towards the establishment of a Trans-Regional EU-ASEAN Trade Initiative aimed at strengthening economic cooperation between the two regions.

44. We welcomed the progress being made in the Closer Economic Partnership (CEP) between ASEAN and the Closer Economic Relations (CER) countries of Australia and New Zealand. We considered the work on the CEP as a valuable contribution to the strengthening of the overall relationship between the two neighboring regions.

45. We looked forward to the signing by ASEAN and Russia of the Joint Declaration on Partnership for Peace and Security, an Prosperity and Development in the Asia-Pacific Region as an important step in institutionalizing and enhancing the present relations between them.

46. We reiterated our call for the expeditious admission of Cambodia, Lao PDR and Viet Nam into the World Trade Organization and for the early participation of Cambodia, Lao PDR and Myanmar in the Asia-Europe Meeting (ASEM) and in APEC.

47. We welcomed the efforts by Thailand and Viet Nam in preparing for the 11th Informal APEC Economic Leaders Meeting on 20-22 October 2003 in Bangkok and for the 5th ASEM Summit scheduled for October 2004 in Ha Noi respectively. We expressed our strong support to Thailand and Vietnam in making the Summits a success. The convening of the two summits in ASEAN Countries reflects the active role of ASEAN in enhancing inter-regional cooperation.

INTERNATIONAL AND REGIONAL ISSUES

Korean Peninsula

48. Recalling the statements

that we issued in Brussels on 28 January 2003 and in Karambunai, Sabah, on 19 March 2003, we viewed with continuing concern the tensions arising from the situation in Korea. We reaffirmed our conviction that a nuclear weapons-free Korea and a peaceful resolution of the current tensions through dialogue and negotiations would be a valuable contribution to the prospects for peace and stability in East Asia. We expressed our appreciation to His Excellency Mr. HOR Namhong, Senior Minister and Minister of Foreign Affairs and International Cooperation of Cambodia for his efforts, as Chairman of the ASEAN Standing Committee and the ASEAN Regional Forum, in contributing to the international endeavor to ease tensions in the Korean peninsula. We reaffirmed our support for the process of dialogue and consultation among the parties directly concerned, welcoming the talks held in Beijing on 23 April 2003 among China, the Democratic People's Republic of Korea and the United States of America and the Cabinet-level meeting between North and South Korea in the same month. We looked forward to further discussions on this matter at the 10th ASEAN Regional Forum on 18 June 2003, confirming our view that the ARF could

be a useful venue for facilitating dialogue on the Korean peninsula and support the incoming ASC/ARF Chair to contribute further to the efforts initiated by H.E. Mr. HOR Namhong.

Iraq

49. Reiterating the statement that we issued at our informal meeting in Karambunai, Malaysia, March 2003, we reaffirmed our support for a central and vital

role for the United Nations in the reconstruction and development of Iraq in accordance with the aspirations of the people of Iraq and with the UN's responsibility in the maintenance of international peace and stability. We stressed that all measures relating to the future of Iraq must be undertaken on the basis of respect for the sovereignty, territorial integrity, political independence and security of Iraq as well as for the wellbeing of the Iraqi people. We also urged the international community to extend adequate assistance to the people of Iraq to meet their basic needs and also to ensure that normalcy and law and order is restored and maintained.

Middle East

50. We welcomed all initiatives to end the bloodshed in the Middle East and to secure durable peace on the basis of justice and called for respect for and the implementation of the relevant United Nations resolutions. The Ministers welcomed the diplomatic efforts of the Quartet together with the Arab initiative. They hoped that the Quartet's Roadmap would finally lead to the realization of a viable Palestinian state and reaffirmed the right of all states in the region to exist within recognized and secure boundaries. They expressed concern over the escalating cycle of violence in the region and hoped that all parties would continue to play a constructive role so as not to derail the process towards achieving such an objective. Given the complexity of the issues involved the Ministers stressed that all efforts in the political, security, economic, humanitarian and institution-building must proceed together and be all encompassing.

South Asia

51. We welcomed the recent positive developments in the relations between India and Pakistan, particularly the peaceful initiatives by the Indian Prime Minister, which constitute encouraging steps towards a fully normalized relationship between the two sides. We expressed the hope that the two sides would continue their dialogue and cooperation and resolve their difference through peaceful means in the interests of the two peoples and for the sake of peace and stability in South Asia and the world.

Asia Cooperation Dialogue

52. We acknowledged the significance of the Asia Cooperation Dialogue (ACD), which is serving as a bridge between the sub-regions of Asia, creating an Asia-wide network of cooperation. We noted the progress of the ACD in terms of both dialogue and projects during the past year, with the support of all ASEAN countries and look forward to the second ACD Ministerial Meeting on 21-22 June 2003 in Chiang Mai, Thailand.

Asian Bond Market

53. We welcomed the active participation of five ASEAN member countries in the Asian Bond Fund, which was launched in Bangkok by the Prime Minister of Thailand on 2 June 2003, and looked forward to the eventual participation of other ASEAN member countries.

Multilateralism

54. We reaffirmed the importance of strictly abiding by the principles of international law, including the Charter of the United Nations. In this regard, we underlined the central and vital role of the United Nations in the maintenance of peace and security and the strengthening of international cooperation.

INSTITUTIONAL MATTERS

55. We congratulated Mr. Ong Keng Yong on his appointment by the ASEAN Leaders to be Secretary-General of ASEAN from 2003-2007. We welcomed his initiatives to streamline and strengthen the ASEAN Secretariat and to enhance its role in line with the changing political and economic environment and regional priorities. We expressed our strong support to the Secretary-General's continuing efforts in this regard.

New ASEAN Chairmanship

56. We elected Indonesia as the Chair of the 37th ASEAN Standing Committee and the Lao People's Democratic Republic as

the Vice-Chair. We looked forward to the Joint Ministerial Meeting (JMM), the 9th ASEAN Summit and its related meetings in Bali on 7-8 October 2003 in Indonesia and the 37th ASEAN Ministerial Meeting, the 11th ASEAN Regional Forum and the Post-Ministerial Conferences in Indonesia in 2004.

Annex 146

Association of Southeast Asian Nations, *Joint Communiqué: 37th ASEAN Ministerial Meeting* (30 June 2004)



<http://www.asean.org/communities/asean-political-security-community/item/joint-communique-of-the-37th-asean-ministerial-meeting-jakarta-29-30-june-2004-2>

Joint Communique of the 37th ASEAN Ministerial Meeting Jakarta, 29-30 June 2004

INTRODUCTION

1. We, the Ministers of Foreign Affairs of the Association of Southeast Asian Nations (ASEAN), met in Jakarta on 29-30 June 2004, the first time since the ASEAN Leaders decided to establish an ASEAN Community. The meeting was chaired by H.E. Dr. N. Hassan Wirajuda, Minister for Foreign Affairs of the Republic of Indonesia.

2. We met under the theme "Striving For Full Integration of ASEAN: A Prosperous, Caring and Peaceful Community," during which we reaffirmed our countries' commitment to establish an ASEAN Community by 2020, comprising the ASEAN Security Community, the ASEAN Economic Community and the ASEAN Socio-cultural Community. In this regard, our meeting was essential in discharging our responsibility to assist our Leaders chart the course towards that end. We recommended to the 10th ASEAN Summit in Vientiane the endorsement of the Plans of Action for the ASEAN Security Community and the ASEAN Socio-cultural Community and the successor plan of the Hanoi Plan of Action.

3. We were encouraged by the important progress in the development of the ASEAN Security Community, which we believed would lead to an ASEAN that is at peace with one another and with the world at large. We agreed that the ASEAN Security Community would strengthen our capacity to deal with security challenges, both traditional and non-traditional security issues. The ASEAN Security Community would strengthen ASEAN relations with Dialogue Partners and its other friends and would enhance ASEAN's role as the ARF's primary driving force.

4. We welcomed the significant progress in realizing the establishment of the ASEAN Economic Community, a community that would be a single market and production base with a free flow of goods, services, investment, and skilled labor and freer flow of capital. We were confident that the deepening and broadening economic integration would lead to a stable, prosperous, and highly competitive ASEAN region.

5. We further noted with satisfaction our cooperation in social development. We commended the important work directed towards the formulation of a Plan of Action on the ASEAN Socio-cultural Community to complete the three pillars of the ASEAN Community. We agreed that the ASEAN Socio-cultural Community is a community of caring societies, diverse in culture yet with a distinctive regional identity.

6. We agreed to work towards development of an ASEAN Charter which would, inter alia, reaffirm ASEAN's goals and principles in inter-state relations, in particular the collective responsibilities of all ASEAN Member Countries in ensuring non-aggression and respect for each other's sovereignty and territorial integrity; the promotion and protection of human rights; the maintenance of political stability, regional peace and economic progress; and the establishment of effective and efficient institutional framework for ASEAN.

OPENING SESSION

7. Present for the Opening Session was the Special Envoy of the Government of Papua New Guinea, a special observer in ASEAN. His Excellency Mr. José Ramos-Horta, Senior Minister and Minister of Foreign Affairs and Cooperation of the Democratic Republic of Timor-Leste, was present as guest of the Chairman of the 37th ASEAN Standing Committee.

8. Her Excellency Megawati Soekarnoputri, President of the Republic of Indonesia, graced our meeting with a keynote address, which we deeply appreciated. In her address, President Megawati Soekarnoputri, inter alia, expressed the view that:

a. In spite of ASEAN's success in the past as a force for peace and stability and prosperity in the Asia-Pacific region, it must endeavor to address today's and tomorrow's formidable array of global and regional challenges. These challenges include surging unilateralism and new or continuing conflicts; precarious regional and international economic situation; new and continuing epidemics; and transnational crimes, including terrorism;

- b. as past measures are becoming inadequate, ASEAN could not resort to business as usual, but must respond with intelligence and creativity and with all the strength it could muster;
- c. the Declaration of ASEAN Concord II and its envisaged ASEAN Community comprising three pillars of ASEAN Security Community, ASEAN Economic Community, and ASEAN Socio-cultural Community serves as the framework on which ASEAN can find and marshal its strength;
- d. by pulling its house in order and by increasing its cohesiveness and solidarity, ASEAN could thus deal more effectively with the dynamics of its regional and international environment, including in the ASEAN+3 processes; and
- e. as democracy is taking place all over the world, Asia is fortunate because democracy is neither being imposed nor just a mindless imitation of western systems. This trend is evident in the free, honest and democratic elections successfully held this year in the Republic of Korea, Malaysia, Sri Lanka, India, the Philippines and Indonesia.

ASEAN COMMUNITY

9. We had taken steps to implement our Leaders' decision to establish an ASEAN Community comprising three pillars, namely political and security cooperation, economic cooperation, and socio-cultural cooperation that were closely intertwined and mutually reinforcing for the purpose of ensuring durable peace, stability and shared prosperity. We have made quite substantial progress in the past nine months since the adoption of the Bali Concord II in the formulation and finalization of plans of actions of those three pillars as the base in our strive towards full integration.

Vientiane Action Programme

10. We noted with satisfaction of the Assessment Report on the Implementation of the Hanoi Plan of Action (HPA) and agreed that the successful implementation of the HPA significantly contributed to the realization of ASEAN goals set by ASEAN Vision 2020 and the Bali Concord II.

11. We discussed the draft of the Vientiane Action Programme (VAP) and agreed that it should be consistent with the goals and objectives of the ASEAN Vision 2020 and the Declaration of ASEAN Concord II. As a successor to the HPA, the VAP is a six-year plan to realize the medium-term goals of the ASEAN Community, while focusing, inter alia, on deepening regional integration and narrowing the development gap between and among Member Countries, particularly the least developed Member Countries.

ASEAN SECURITY COMMUNITY

ASEAN Security Community Plan of Action

12. We commended Indonesia for developing and elaborating the ASEAN Security Community (ASC) Plan of Action. We appreciated the substantive work that had been undertaken by our Senior Officials in developing the ASC Plan of Action, and agreed on the text they had prepared. We further agreed to recommend the text for adoption by the Leaders at the 10th ASEAN Summit in Vientiane, to be annexed to the Bali Concord II. We looked forward to the report by the Indonesian Foreign Minister to the Leaders at that Summit.

Political Cooperation

13. We discussed a wide range of issues of ASEAN political cooperation with due regard to the cardinal principle of non-interference within the spirit of an ASEAN family.

14. We congratulated Malaysia, Indonesia and the Philippines for their success in holding free and peaceful elections. We believed that these elections have contributed to the attainment of a just, democratic and harmonious Southeast Asia as called for in the Declaration of ASEAN Concord II. We looked forward to a similarly successful round of Indonesia's coming first direct presidential elections.

15. We noted the briefing given by Myanmar on the reconvening of its National Convention and the development thereon. We acknowledged the potential of the Convention in paving the way for new constitution and the holding of elections in keeping with it. We recalled and emphasized the continued relevance of the Joint Communique of the 36th AMM and the Chairman's Press Statement of the 9th ASEAN Summit. In this regard, we underlined the need for the involvement of all strata of Myanmar society in the on-going National Convention. We encouraged all concerned parties in Myanmar to continue their efforts to effect a smooth transition to democracy. We recognized the role of the Special

Representative of the United Nations Secretary-General in assisting Myanmar to achieve this goal.

Treaty of Amity and Cooperation

16. We reaffirmed the importance of the Treaty of Amity and Cooperation in Southeast Asia (TAC) as the key code of conduct governing relations between States and a diplomatic instrument for the promotion of peace and stability in the region. We also reiterated our commitment to enhance cooperation with States outside Southeast Asia in the strengthening of international peace, security and stability. Within this context, we warmly welcomed the accession of China and the Republic of India to the TAC at the ASEAN+China and ASEAN-India Summits in Bali, October 2003, and looked forward to the accession to the TAC by Japan and Pakistan on 2 July 2004. We encouraged other non-Southeast Asian countries to accede to the Treaty.

Southeast Asia Nuclear Weapon-Free Zone Treaty

17. We reaffirmed the importance of vigorous efforts to further strengthen cooperation in supporting the implementation of the Treaty on Southeast Asia Nuclear Weapon-Free Zone, with a view to promoting the purposes and objectives of the Treaty, particularly ensuring early accession of the Nuclear Weapon States. We agreed to work together in a spirit of amity and cooperation to resolve the outstanding issues and called on the Nuclear Weapon States to show maximum flexibility and work together with ASEAN on this matter. We welcomed China's readiness to sign the Protocol.

ASEAN Regional Forum

18. We welcomed our Leaders' reaffirmation, made at the 9th ASEAN Summit, of the role of the ARF as the primary forum in enhancing political and security cooperation in the Asia Pacific region, as well as the pivot in building peace and stability in the region. We resolved to ensure that ASEAN shall continue to enhance its leading role to further the momentum of cooperation in further advancing the ARF process, as its contribution to the maintenance of peace, security and stability in the Asia Pacific region.

19. We expressed appreciation to the ARF Chair for carrying out initiatives of the enhanced role of the Chair and regarded these as important contributions in further strengthening the ARF.

20. We endorsed the establishment of the ARF Unit within the ASEAN Secretariat, which we believed could serve to advance the ARF process, particularly ASEAN's leading role in the ARF and the enhanced role of the ARF Chair.

21. We recalled our agreement to lift the moratorium and to consider the application of new participants of the ARF on a case-by-case basis. In this regard, we welcomed the concurrent views of all ARF participants to admit Pakistan into the ARF. We looked forward to Pakistan's participation in the ARF and to its contribution to peace and security in the Asia Pacific region.

South China Sea

22. We reaffirmed the Declaration on the Conduct of Parties (DOC) in the South China Sea, which we signed with China in Phnom Penh on 4 November 2002, as an important step towards the adoption of the Code of Conduct in South China Sea that is crucial for promoting peace, security and stability in the region. We welcomed the stock-taking in the implementation of all provisions of the DOC and to undertake confidence-building and cooperative measures that could contribute to the sustainability of peace and stability in the region. We reiterated our call for all parties concerned to seek to deal with the disputes in the South China Sea by peaceful means in accordance with international law, including the United Nations Convention on the Law of the Sea. We welcomed the recommendation of the ASEAN Senior Officials for follow-up action, including the establishment of an ASEAN-China Working Group and a review mechanism, in order to incrementally implement the DOC.

23. We appreciated the efforts of the Indonesian Government in holding the informal workshop on Managing Potential Conflict in South China Sea since 1990 that has contributed to the comfort level of the ongoing process.

24. We noted with appreciation the initiative of the Philippines Government in carrying out Exercise Luzon Sea Phase 1 - Palawan Expedition as a practical application of Part IX of the 1982 Law of the Sea Convention on the cooperation of states in enclosed and semi enclosed seas which is encouraged under Paragraph 6 of the DOC.

Transnational Crimes

25. We welcomed the Joint Communiqué of the 4th ASEAN Ministers Meeting on Transnational Crime (AMMTC) and the

Joint Communiqué of the 1st AMMTC+3 on 8 January 2004 and 10 January 2004, respectively, in Bangkok. In this regard, we stressed the central role of the AMMTC in the region-wide initiatives and cooperation in fighting transnational crime. Furthermore, we commended the signing of the Memorandum of Understanding between ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues, in Bangkok on 10 January 2004, which provides concrete and operational measures on cooperation in the field of non-traditional security issues, including counter-terrorism, between ASEAN and China. We were encouraged by the progress made under the Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crimes (Bali Process) which helped enhance the regional and national capacity to combat people smuggling and trafficking in persons, particularly in the areas of public awareness raising, legislative development and law enforcement.

Terrorism

26. We reiterated our strongest condemnation of terrorism in all its form and manifestation. We emphasized the need to address the root causes of terrorism and rejected any attempt to associate terrorism with any religion, race, nationality or ethnic group. We reviewed the intensified cooperation among ASEAN Member Countries in the fight against terrorism, which had made possible the arrest of persons engaged in terrorist activities and helped prevent the occurrence of terrorist acts. We called for greater concerted and coordinated efforts and concrete initiatives at all levels in combating terrorism.

27. We renewed our determination to enhance coordination and cooperation with the international community in combating international terrorism. We appreciated the implementation of the ASEAN-US Counterterrorism Work Plan to carry out the ASEAN-US Joint Declaration for Cooperation to Combat International Terrorism. We welcomed, and looked forward to the implementation of, the ASEAN-India Joint Declaration on Cooperation to Combat International Terrorism and current priority of ARF cooperation in fighting international terrorism and transnational crimes, especially ARF Inter-sessional Meetings on Counter-Terrorism/Transnational Crime (ISM on CT/TC). We looked forward to the signing of ASEAN-Australia Joint Declaration for Cooperation to Combat International Terrorism and the ASEAN-Russian Federation Joint Declaration for Cooperation to Combat International Terrorism. We also looked forward to the concrete implementation of the Joint Declaration on Cooperation to Combat Terrorism, adopted at the 14th ASEAN-EU Ministerial Meeting (AEMM) in Brussels in January 2003.

28. We commended the holding and welcomed the practical outcomes of the Bali Regional Ministerial Meeting on Counter-Terrorism, held in Bali on 4-5 February 2004, as an important contribution to the efforts at national, regional and international levels to combat terrorism. We welcomed the establishment of the Jakarta Center for Law Enforcement Cooperation (JCLEC) and noted its mandate to network with other regional centers, such as the International Law Enforcement Academy (ILEA) in Bangkok and the Southeast Asia Regional Center for Counter Terrorism (SEARCCT) in Kuala Lumpur on the basis of complementarity and non-duplication of their activities. We looked forward to continuing our cooperation in the training of officials involved in counterterrorism through SEARCCT, JCLEC and ILEA.

ASEAN Maritime Cooperation

29. Reaffirming that maritime cooperation is vital to the evolution of the ASEAN Security Community, we agreed to foster maritime cooperation between and among ASEAN countries in a holistic, integrated and comprehensive manner, and explore the possibility of establishing a maritime forum.

Other Area of Cooperation

30. We reaffirmed our commitment to the protection and promotion of human rights. In this regard, we noted the ongoing ASEAN efforts and dialogues with the non-governmental Working Group for an ASEAN Human Rights Mechanism, as well efforts to enhance the exchange of views among different sectors in ASEAN towards the realization of an ASEAN human rights mechanism. We took note of the meeting between the ASEAN Senior Officials and the Working Group for an ASEAN Human Rights Mechanism in Jakarta on 28 June 2004. We noted the establishment of national human rights mechanism in some member countries. We also noted the conclusions and recommendations of the Fourth Workshop on ASEAN Regional Mechanism on Human Rights held in Jakarta on 17-18 June 2004.

ASEAN ECONOMIC COMMUNITY

31. We commended the work on the realization of the ASEAN Economic Community to follow up the decisions of the 9th ASEAN Summit, particularly on the progress achieved in the implementation of various measures for the 11 sectors identified for priority integration. We lauded the decision taken by the ASEAN Economic Ministers (AEM) to develop

individual sectoral integration roadmaps of the 11 priority sectors and to submit all finalized roadmaps and a general Framework Agreement to guide the implementation of the roadmaps for signing by the Leaders at the 10th ASEAN Summit in Vientiane.

32. We welcomed the ongoing negotiations in regional FTAs such as the ASEAN-Japan Comprehensive Economic Partnership and the ASEAN-China and ASEAN-India FTAs as important steps towards our goal of greater regional economic integration.

33. We welcomed the enhancement of economic relations between ASEAN and its Dialogue Partners, both at the regional and bilateral levels. We commended the efforts of all parties concerned in promoting closer economic linkages with ASEAN, including through the ASEAN-China Framework Agreement on Comprehensive Economic Cooperation, ASEAN-Japan Framework for Comprehensive Economic Partnership (CEP), ASEAN-India Framework Agreement on Comprehensive Economic Cooperation and Trans-Regional EU-ASEAN Trade Initiative (TREATI). We also welcomed the proposal of the ASEAN Economic Ministers to launch ASEAN-CER FTA negotiations this year. We called for the early conclusion of the ASEAN-United States Trade and Investment Framework Agreement. We welcomed the ongoing Joint Study on Comprehensive Economic Cooperation between ASEAN and the Republic of Korea, which would serve as the basis for an ASEAN-Republic of Korea FTA. We followed with interest the ongoing bilateral FTA negotiations between ASEAN Member Countries and Dialogue Partners.

Initiative for ASEAN Integration

34. We expressed our satisfaction at the overall progress in the implementation of the IAI Work Plan projects and stressed the need to secure funding support for carrying out a number of remaining projects. We urged new approaches and strategies to be developed to get more funding support from within ASEAN, ASEAN's Dialogue Partners and other interested parties. In this regard, we welcomed the initiative to set up the co-shepherd mechanism between ASEAN-6 and Cambodia, Lao PDR, Myanmar, and Viet Nam in order to jointly take charge of moving forward the implementation of the IAI projects. We also urged China, Japan, the Republic of Korea and India to jointly implement the IAI projects with ASEAN.

Sub-regional Growth Areas

35. We reaffirmed the contribution of the sub-regional growth areas in bridging the development gaps in ASEAN and welcomed the support of the ASEAN Dialogue Partners, the private sector and the Asian Development Bank in these areas.

36. We appreciated the recent mission conducted by China, and welcomed the commitment by Japan and the Republic of Korea to contribute in developing Brunei Darussalam-Indonesia-Malaysia-the Philippines East ASEAN Growth Area (BIMP-EAGA). We took note of the interest of the Northern Territory of Australia to establish close linkages and partnership with the BIMP-EAGA region.

37. We reviewed the development of the ASEAN-Mekong Basin Development Cooperation (AMBDC) and noted that our Dialogue Partners have agreed to provide technical assistance to the Singapore-Kunming Rail Link Project (SKRL), a flagship project of AMBDC. We welcomed the support of the Republic of Korea for the Feasibility Study for the Missing Links and Spur Lines of the SKRL in CLMV Countries. We also appreciated China's contribution to the preparation work of the Cambodia section of the SKRL and also Malaysia's commitment in assisting Cambodia to complete the 48km missing link from Poipet to Sisophon. The Meeting noted that this would be the first hard infrastructure assistance from a member of ASEAN-6 to the IAI. This development is an important step forward for the implementation of the SKRL. We also welcomed the assistance of Japan for Mekong Sub-region development.

The Role of Private Sector

38. Recognizing the importance of business sectors' participation on regional economic integration, we welcomed the decision of the ASEAN Business Advisory Council to develop an Action Plan for the Business Sector and to jointly organize the Second ASEAN Business and Investment Summit with the Lao National Chambers of Commerce and Industry preceding the 10th ASEAN Summit in Vientiane.

ASEAN SOCIO-CULTURAL COMMUNITY

ASEAN Socio-cultural Community Plan of Action

39. We commended the Philippines for developing and elaborating the ASEAN Socio-cultural Community (AScC) Plan of Action and endorsed the basic principles embodied in the Plan of Action. The Plan of Action contains the four elements of ASEAN Socio-cultural Community which include building a community of caring societies, managing the social impact of economic integration, promoting environmental sustainability and strengthening regional identity. We looked forward to finalizing the Plan of Action at our informal meeting in New York on 28 September 2004 for the ASEAN Leaders to adopt during the 10th ASEAN Summit in November 2004 to be annexed to the Bali Concord II.

Women

40. We welcomed the signing of the Declaration on the Elimination of Violence against Women in the ASEAN Region. We believed that the Declaration would further strengthen regional cooperation, collaboration and coordination for the purpose of eliminating violence against women in the region, either individually or collectively.

Communicable Diseases

41. We appreciated the decisions made at the Ministerial Meeting on Current Poultry Disease Situation on 28 January 2004 in Bangkok, which reflected our serious and collective endeavors to combat Avian Influenza in the region. In this regard, we agreed to maintain close coordination and further strengthen our cooperation to prevent the spread of other communicable diseases by exchanging information and best practices through the ASEAN Disease Surveillance Network and deepening cooperation with the WHO.

42. We attached great importance to addressing the problem of HIV/AIDS and committed ourselves to strengthening international cooperation both at the regional and global levels to fight against this deadly disease. In this regard, we expressed strong support to Thailand in hosting the upcoming XV International AIDS Conference and the 2nd Asia-Pacific Ministerial Meeting on HIV/AIDS in Bangkok in July 2004.

Environment

43. We noted ASEAN's endeavour to conclude by 2004 an ASEAN framework agreement on access to, and fair and equitable sharing of benefits arising from, the utilization of biological and genetic resources.

44. In order to achieve the objectives of Johannesburg Plan of Implementation, we called for cooperation with other sub-regions, namely through various partnership schemes with our Dialogue Partners, other countries as well as relevant regional and international organizations, particularly in the 10 priority areas of cooperation. In this regard, we also called on the developed countries to fulfill their commitments, particularly in providing financial resources, enhancing capacity building, and promoting technology transfer to developing countries.

45. We commended the ASEAN Environment Ministers and welcomed the entry into force the ASEAN Agreement on Transboundary Haze Pollution on 25 November 2003 and resolved to further enhance cooperation within the framework of the Agreement.

46. We underscored the importance of further cooperation in the field of water, sanitation, energy, health, agriculture and bio-diversity through partnership among ASEAN Member Countries as well as between ASEAN and other sub-regional organizations.

EXTERNAL RELATIONS

47. We noted the developments and progress made in the cooperation with our Dialogue Partners in various areas and welcomed the measures taken by both sides to revitalize the dialogue partnerships. In the context of development cooperation, we reiterated the importance of upholding the principle of non-discrimination and to implement activities that involve ASEAN as one regional entity. We strongly believed that strengthened cooperation and closer partnerships between ASEAN and its Dialogue Partners would significantly contribute to maintaining peace and stability and accelerate economic developments in their respective regions and in the world.

48. We noted with satisfaction the overall progress of the ASEAN+3 cooperation. We reaffirmed our determination to continue to drive the ASEAN+3 cooperation and to work with China, Japan and the Republic of Korea in promoting East Asia cooperation through that process. We emphasized that an East Asian community is a long-term objective for East Asia cooperation to be developed through the existing ASEAN+3 mechanism and supported the idea of convening the East Asia Summit at an appropriate time.

49. We welcomed the establishment of the ASEAN+3 Unit within the ASEAN Secretariat, which will assist the ASEAN Chair in coordinating ASEAN+3 cooperation. We were encouraged by the progress made in the implementation of the 17 short-measures recommended by the East Asia Study Group (EASG) and called for the start to implement the remaining measures. We took note of other initiatives designed to further strengthen ASEAN+3 cooperation, including the East Asia Congress (EAC) held in Kuala Lumpur. We welcomed the convening of the 2nd Meeting of the Network of East Asia Think-tanks (NEAT) in Thailand on 16-17 August 2004 and the 2nd East Asia Forum (EAF) in Malaysia on 6-7 December 2004.

50. We noted that under the new format of the Post Ministerial Conferences, ASEAN would hold six sessions of ASEAN PMC+1 with Australia, Canada, the EU, New Zealand, Russia, the United States in Jakarta, 1 July 2004, and meet our counterparts from China, India, Japan and the Republic of Korea in four separate sessions prior to the annual ASEAN Summit in Vientiane in November.

51. We endorsed the recommendation of the ASEAN Economic Ministers to the ASEAN Leaders to convene a summit with Australia and New Zealand, that should be designated as ASEAN-Australia-New Zealand Commemorative Summit. This commemorative summit is a one-off event, covering all issues of common concern, and to be convened in the afternoon following the 10th ASEAN Summit and other related summits next November in Vientiane.

52. We expressed strong support for the on-going UN reform efforts aimed at improving the effectiveness and efficiency of the UN system, and looked forward to our meeting in New York this September with the Chairman of the High Level Panel of Threats, Challenges and Change established by the UN Secretary General. We welcomed the initiative to strengthen ASEAN-UN cooperation. We also welcomed the new practice of holding our dialogue with the UN Secretary-General during the UN General Assembly session. In this regard, we are actively considering requesting for an observer status in the United Nations General Assembly. We believed that an institutional relationship with the United Nations would support the realization of ASEAN Community, as well as efforts to strengthen cooperation between ASEAN and the UN as stipulated in United Nations General Assembly Resolution 57/35 of 21 November 2002 on "Cooperation between the United Nations and the Association of South-East Asian Nations". To strengthen ASEAN's role in the UN, we reaffirmed that the Permanent Representatives of ASEAN Member Countries and the Permanent Representative of China to the United Nations could have regular consultations. We also expressed our strong support for action made by the Asian Group in New York to emphasize that it was Asia's turn as the next UN Secretary General.

INTERNATIONAL AND REGIONAL ISSUES

Iraq

53. We welcomed the full reassertion of the sovereignty of Iraq on 28 June 2004. We emphasized the need to ensure substantive materialization of this sovereign status. We stressed the need for the full implementation of the United Nations Security Council Resolution 1546 (2004) on Iraq. We further emphasized the central role of the United Nations in the process of political transition from the sovereign interim government to a democratic government; reconstruction; and development of the country. We are concerned by the deteriorating security situation in the country, and it is our hope that a durable solution could be attained in order to achieve peace, security, stability, and national reconciliation for the well-being of the Iraqi people.

Middle East

54. We expressed our grave concern over the deterioration of the situation in the Occupied Palestinian Territory, including East Jerusalem. We condemned all acts of violence. We firmly believed that such acts on violence, if left unchecked, would destroy the peace efforts in the Middle East as well as prolong the humanitarian tragedy in Palestine. We reiterated our deep regret that the Road Map has yet to be implemented, and expressed hope that the international community and the Quartet will undertake the necessary measures to salvage to Road Map and implement its provisions towards its stated aims and goals. In this connection, we underlined the need for all efforts to be made to resume the process for a permanent settlement of the conflict based on United Nations Security Council Resolutions 242, 338, 1397, and 1515. We look forward to the realization of the vision of two states; Israel and Palestine, living side by side in peace within secured and recognized borders. We also reaffirmed the important role of the Security Council with regard to the situation in the Occupied Palestinian Territory and peaceful settlement of the Israeli-Palestinian conflict.

Korean Peninsula

55. We recognized the impact of the nuclear issue on the Korean Peninsula on peace, stability and security of the wider

Asia Pacific region. We emphasized the need for the parties concerned to find peaceful solution through dialogue in the spirit of equality and mutual respect. In this regard, we welcomed the convening of the series of Six Party Talks involving China, DPRK, Japan, Republic of Korea, Russia, and the United States. We welcomed and noted the outcomes of these talks, including the most recent round held in Beijing on 23-25 June 2004. We urged all parties concerned to continue their efforts in order to seek a lasting solution to achieve peace and stability on the Korean Peninsula. On its part, ASEAN stands ready to assist the parties concerned to achieve these objectives.

Asian-African Summit 2005 and the Commemoration of the Golden Jubilee of the Asian-African Conference 1955

56. We recalled our commitment at the 8th ASEAN Summit in Phnom Penh in November 2002 to revitalize Asia-Africa cooperation, including promoting closer ties between ASEAN and NEPAD. In this regard, we welcomed the decision of the Government of the Republic of Indonesia to host the Asian-African Summit on 21-23 April 2005 in conjunction with the Commemoration of the Golden Jubilee of the Asian-African Conference of 1955. This Summit will revitalize the Bandung spirit of Asian-African Conference of 1955 through the establishment of a New Strategic Partnership to promote peace, prosperity and progress in the two continents. It would also reinforce the efforts of ASEAN Member Countries to forge closer economic partnership with Africa under the NEPAD.

Asia Cooperation Dialogue

57. We noted the rapid progress of Asia Cooperation Dialogue (ACD) initiated by Thailand as a forum for all Asian countries to combine their strengths in order to create synergy for the enhancement of mutual peace and prosperity in the region. We were further encouraged by the results of the Third ACD Foreign Ministers' Meeting held on 21-22 June 2004 in Qingdao, China, which deepened existing collaborative projects among ACD member countries and expanded cooperation into other areas of mutual interest and benefit.

58. We also noted with satisfaction significant progress on regional bond market development, and in this regard we would seek to implement the Chiang Mai Declaration on Asian Bond Market Development adopted by the 2nd ACD Ministers Meeting in June 2003, including the future establishment of the Asian bond fund which would invest in local currency denominated bonds, strengthen financial market information sharing, develop capital markets and support efforts to facilitate regional investments.

ACMECS

59. We welcomed the inaugural Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS) Summit Meeting in Bagan, Myanmar, in November 2003, which launched a new sub-regional framework of cooperation to support the Mekong Sub-region development and further reinforcing the process of regional integration and narrowing the development gap within the region.

FEALAC

60. Recognizing the importance of fostering cooperation between Asia and Latin America, we welcomed the Philippines' successful hosting of the FEALAC. We reaffirmed our support for the Manila Plan of Action, which addressed economic, political, and security issues of mutual concern to East Asia and Latin America, as well as strengthened administrative arrangements to make FEALAC more efficient.

ASEM

61. We expressed ASEAN's full support for Viet Nam to successfully hold the Fifth Asia-Europe Meeting (ASEM) Summit on 8-9 October 2004 thus contributing to further revitalizing and substantiating the Asia-Europe partnership. We were of the view that substantive progress in Asia-Europe cooperation should not be made contingent upon the question of membership enlargement. In the meantime, we recalled the commitment of the ASEAN Leaders at the Fourth Informal ASEAN Summit in Singapore in 2000 for all ten ASEAN countries to participate together in the ASEM. In this regard, we reaffirmed our continued support for the remaining ASEAN Member Countries, namely Cambodia, Laos and Myanmar, to join concurrently the ASEM.

APEC

62. We commended the efforts exerted by APEC to pursue free trade and investment by 2010 and 2020. Accordingly, we supported APEC's contribution to the WTO negotiation process and urged that this endeavor be continued. We

encouraged APEC to carry on its efforts in ensuring trade security and promoting economic cooperation to reduce the gap among economies in the region.

WTO Issues

63. We welcomed the recent initiatives by Members of the WTO to revitalize the negotiation in Doha Round. We reiterated our readiness to work constructively with all WTO members to achieve an outcome consistent with the goals contained in the Doha Declaration. In this regard, we reiterated that development related issues should continue to remain the center of multilateral trade negotiations. We encouraged our major trading partners particularly from the developed world, to show flexibility and to take into account the development needs and interests of developing Members of the WTO. We affirmed our continued support for the early accession of Laos and Viet Nam into the WTO.

UN Millennium Development Goals

64. We reiterated that the Millennium Development Goals (MDGs) had clearly set specific targets for countries to fulfill in close cooperation with the international community. In this regard, we reaffirmed our commitment to enhance our cooperation to achieve the objectives of MDGs. We emphasized our commitment to translate commitments into actions, including through the creation of a genuine global and regional partnership among governments, international organizations and all relevant stakeholders.

65. We agreed that the attainment of the MDGs required a comprehensive approach, which included, among others, the fulfillment of the commitments adopted by the major international conferences held in the recent years, namely the Monterrey Consensus of March 2002, the Johannesburg Plan of Implementation of September 2002, the Doha Development Agenda of November 2001, and the Declaration of Principles and Plan of Action of the World Summit on the Information Society (WSIS) of December 2003.

INSTITUTIONAL MATTERS AND THE NEW CHAIRMANSHIP

66. We noted the importance of reviving the Joint Ministerial Meeting (JMM) in conformity with the decision of the 9th ASEAN Summit, to revitalize the bottom-up mechanism of the ASEAN decision-making process. The JMM would consist of the AMM, the AEM, the AFMM and the Secretary-General of ASEAN.

67. We directed the ASEAN Secretary-General and Directors General to complete their study on ASEAN's institutional framework to determine how the ASEAN structure could be further strengthened to facilitate the realization of an ASEAN Community. We expressed appreciation to Malaysia for its paper on "Review of ASEAN Institutional Framework: A Proposals for Change."

68. We elected the Lao People's Democratic Republic as the Chair of the 38th ASEAN Standing Committee and Malaysia as the Vice-Chair. We looked forward to the Joint Ministerial Meeting, the 10th ASEAN Summit and its related meetings in Vientiane on 29-30 November 2004 in Laos, as well as the 38th ASEAN Ministerial Meeting, the ASEAN+3 Foreign Ministers' Meeting, the Post-Ministerial Conferences and the 12th ASEAN Regional Forum to be held on 26-29 July 2005 in Laos.

Annex 147

Association of Southeast Asian Nations, *Chairman's Statement: 11th Meeting of the ASEAN Regional Forum*
(2 July 2004)



Chairman's Statement of the 11th Meeting of the ASEAN Regional Forum, Jakarta, 2 July 2004



CHAIRMAN'S STATEMENT THE ELEVENTH MEETING OF ASEAN REGIONAL FORUM

Jakarta , 2 July 2004

1. The Eleventh Meeting of the ASEAN Regional Forum (ARF) was held in Jakarta , Indonesia , on 2 July 2004 . The meeting was chaired by H.E. Dr. N. Hassan Wirajuda, Minister for Foreign Affairs of the Republic of Indonesia .
2. The Meeting was attended by the Foreign Ministers of all ARF participating countries. The Secretary-General of ASEAN was also present. The List of Delegates appears as ANNEX A.
3. A meeting among defence and military officials attending the 11th ARF was also held on 1 July 2004 .
4. The Ministers welcomed the admission of Pakistan as the 24th participant of the ARF and took note of its expressed commitment to help achieve the ARF's key goals and to abide by and respect fully the decisions and statements already made by the ARF.

Overview of the ARF Process

5. The Ministers reaffirmed the importance of ARF as the main political and security forum in the region, and reiterated the importance of further strengthening the ARF. The Ministers also reiterated their support for ASEAN as the primary driving force of ARF and further encouraged the contribution of all ARF participants in moving the ARF process forward.
6. The Ministers discussed extensively issues of common concern and reiterated the importance of maintaining peace and stability in the region. The Ministers also stressed the importance of ARF focusing its deliberations on regional issues, particularly in the Asia-Pacific region, as well as global/international issues with regional repercussion, and excluding issues of a bilateral nature.
7. The Ministers noted with satisfaction the significant progress and the role that ARF has played in enhancing political and security dialogue and cooperation as well as confidence building in the Asia-Pacific region. The Ministers agreed to continue to observe the basic principles of decision-making by consensus and non-interference. The Ministers reaffirmed that ARF should move forward at a pace comfortable to all.

8. The Ministers recognized that the challenges facing the Asia Pacific region are becoming more complex and intertwined. The Ministers emphasized the importance of enhancing cooperation and dialogue in a frank and open manner.

9. The Ministers acknowledged the importance of the involvement of the ASEAN Secretariat in assisting the ARF Chairman. In this regard, they welcomed the participation of the ASEAN Secretariat in all ARF activities, including ISG on CBMs and ISM on CTTC.

Highlights of Issues Discussed

10. The Ministers welcomed the Declaration of ASEAN Concord II (Bali Concord II) at the 9th ASEAN Summit, which recognized the ARF's role as the primary forum in enhancing political and security cooperation in the Asia Pacific region, as well as the pivot in building peace and stability in the region. The Ministers supported ASEAN's intention to enhance its role in further advancing the stages of cooperation within the ARF to ensure the security of the Asia Pacific region. The Ministers further welcomed the endorsement of the ASEAN Security Community, as one of the pillars of the ASEAN Community which would ensure that countries in the region live at peace with one another and with the world in a just, democratic, and harmonious environment, and regard their security as fundamentally linked to one another and bound by geographic location, common vision and objectives. The Ministers expressed their support for the realization of the ASEAN Security Community in 2020 and the development of its Plan of Action, as this will strengthen ASEAN as it leads the ARF towards a more secure and stable region.

11. The Ministers recognized the importance of the purpose and principles of the Treaty of Amity and Cooperation in the Southeast Asia (TAC) which can serve as the key code of conduct for the promotion of cooperation, amity and friendship within Southeast Asia and between ASEAN and other ARF participants. The Ministers welcomed the accession by the People's Republic of China and India to the TAC during the ASEAN+China Summit and ASEAN-India Summit in October 2003. They also welcomed the accession by Japan and Pakistan to the TAC during the current series of the 37th AMM/PMCs/11th ARF.

12. The Ministers exchanged views on recent developments on the Korean Peninsula. The Ministers encouraged the efforts of concerned parties towards the maintenance of peace and security on the Korean Peninsula and the region by achieving a peaceful solution through dialogue to denuclearization on the Korean Peninsula. The Ministers took note positively that the Third Round of Six Party Talks was recently held in Beijing on 23-26 June 2004, and the participating states agreed to convene the Fourth Six Party Talks in September 2004 in Beijing. The Ministers supported the parties' commitments to the goal of denuclearization of the Korean Peninsula and underlined the need to take first steps towards that goal as soon as possible. The Ministers emphasized the importance of a step-by-step process of "words for words" and "action for action" in search of a peaceful solution to the nuclear issues.

13. The Ministers noted with satisfaction the progress made in recent years by the North and South towards reconciliation and cooperation, and reiterated support for continued dialogue and contacts between the North and South, at various levels.

14. The Ministers underlined the importance of the implementation of Declaration on the Conduct of Parties in the South China Sea (DoC). The Ministers also stressed that the parties concerned exercise self-restraint in the conduct of activities that would affect peace and stability in the region. The Ministers emphasized the importance of confidence building and the need to explore ways and means for cooperative activities among the parties concerned, thus creating favourable conditions for settling disputes in South China Sea peacefully. The Ministers welcomed the proposal of ASEAN and China to convene a Senior Officials' Meeting under the DoC and establish an ASEAN China Working Group that will oversee the implementation of the Declaration in spirit and letter.

15. The Ministers noted the briefing given by Myanmar and discussed the development in Myanmar . The Ministers recalled and emphasized the continued relevance of the 10th ARF Chairman's Statement. In this regard, the Ministers underlined the need for the involvement of all strata of Myanmar society in the on-going National Convention. The Ministers urged Myanmar to take every action that will add substance to the expression of its democratic aspiration. The Ministers also recognized the role of the Special Envoy of the United Nations Secretary-General in assisting Myanmar to achieve this goal.

16. The Ministers reiterated their support for the sovereignty, territorial integrity and national unity of Indonesia , and emphasized that durable stability, economic prosperity, and democratization would contribute to peace, stability and development in the region.

17. The Ministers welcomed the full reassertion of the sovereignty of Iraq on 28 June 2004 . We emphasized the need to ensure substantive materialization of this sovereign status. The Ministers were concerned by the current security situation in Iraq , and hoped that a durable solution could be attained in order to achieve peace, security, stability and national reconciliation for the well being of the Iraqi people. We stressed the importance of the full implementation of the United Nations Security Council Resolution 1546 (2004) on Iraq, and the importance of all nations supporting the full transfer of sovereignty to Iraqi authorities, and the presence of the multinational force in Iraq for the time period described in UNSCR 1546. We further emphasized the central role of the United Nations in the process of political transition from the sovereign interim government to a democratic government; reconstruction; and development of the country.

18. The Ministers expressed deepest sympathy and condolences to the death of civilian victims in the on-going situation in Iraq , in particular the death of civilian hostages of various nationalities, including nationals of ARF participants. The Ministers, therefore, condemned the barbaric killings and acts of terrorism against civilian hostages, and consider those acts as offences of grave concern to the international community. Furthermore, they expressed their determination to prevent the recurrence of civilian hostage taking.

19. The Ministers affirmed that terrorism, irrespective of its origins, motivations or objectives, constitutes a threat to all peoples and countries, and to the common interest in ensuring peace, stability, security and economic prosperity in the region and beyond. The Ministers reiterated their strong condemnation of acts of terrorism in all its forms and manifestations. The Ministers emphasized the importance of avoiding the identification of terrorism with any particular religion or ethnic group. The Ministers agreed that the campaign against terrorism should be conducted in full conformity with the purposes and principles of the Charter of the United Nations and in accordance with the principles of international law, in particular humanitarian and human rights law.

20. The Ministers welcomed the results of the International Conference of Islamic Scholars (ICIS) held in Jakarta , 23-25 February 2004, which among others condemned acts of terrorism with any religion, in particular Islam, and any race. They noted that Moslem scholars from all parts of the world stressed the fact that the campaign against terrorism can only be won through comprehensive and balanced

measures, in particular by squarely addressing the root causes of terrorism, including poverty, intolerance, and injustice.

21. The Ministers Welcomed the Joint Communique of the 4th ASEAN Ministerial Meeting on Transnational Crimes (AMMTC) and the Joint Communique of the 1st AMMTC+3 in January 2004 in Bangkok . Furthermore the Ministers commended the signing of Memorandum of Understanding between ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues at the 1st AMMTC+3, which provides concrete and operational measures on cooperation in the field of non-traditional security issues between ASEAN and China. The Ministers welcomed the signing of ASEAN-India Joint Declaration for Cooperation in Combating International Terrorism at the 2nd ASEAN-India Summit in Bali 2003. Ministers also welcomed the signing of the ASEANAustralia Joint Declaration for Cooperation to Combat International Terrorism at the 10+1 Meeting in Jakarta on 1 July 2004 . They further Welcomed the signing of ASEAN-Russia Joint Declaration for Cooperation to Combat International Terrorism during the 11th ARF.

22. The Ministers, recalling the objectives agreed at the Bali Regional Ministerial Conference on People's Smuggling, Trafficking in Persons and Related Transnational Crime in February 2002 and April 2003 in Bali , welcomed the results of the Bali Process Senior Officials Meeting held in June 2004 in Brisbane . The Ministers noted that the Bali process was continuing to work on practical activities to combat people's smuggling and trafficking in persons.

23. The Ministers welcomed the Convening of the Bali Regional Ministerial Meeting on Counter Terrorism (BRMM-CT), held in Bali on 4-5 February 2004, co-hosted byIndonesia and Australia as a means to translate strong political commitments of the countries in the Asia Pacific region in combating terrorism into practical collaborative actions. The Ministers further encouraged participants to actively participate in the two ad-hoc Working Groups established as a followup of the Bali Meeting.

24. The Ministers welcomed the formal opening of the JakartaCenter for Law Enforcement Cooperation (JCLEC) in Semarang, on 3 July 2004, to build regional operational law enforcement capacity needed to fight transnational crimes, with a key focus on terrorism, and expressed interest in appropriate national agencies drawing on the resources that will be provided by the Center for operational support. The Ministers also encouraged contributions from ARF countries to the work of the JCLEC. The Ministers expressed their support for the center forming complementary working relations, including cooperation in the training of officials involved in counter-terrorism with other relevant regional bodies, such as the International Law Enforcement Academy (ILEA) in Bangkok and the Southeast Asia Regional Center for Counter Terrorism (SEARCCT) in Kuala, Lumpur.

25. The Ministers were pleased with the outcomes of the second Intersessional Meeting on Counter-Terrorism and Transnational Crime (ISM on CTTC) in Manila , on 30-31 March 2004. They expressed their appreciation for the work of the Philippines and Russia as co-chairmen of that meeting. The report of the co-chairmen appears as **ANNEX B**.

26. The Ministers adopted the ARF Statement on Strengthening Transport Security against International Terrorism, as recommended by the ISM on CTTC. The Statement, which appears as **ANNEX C**, expressed the ARF participants' determination to take concrete and cooperative measures in safeguarding their means of transportation from terrorist threats.

27. Noting the important work being done by the ISM on CTTC, the Ministers agreed to extend its mandate for one more year, while maintaining the current format. The Ministers welcomed Canada and Thailand 's offer to co-chair the next ISM on CTTC in 2005 in Thailand .

28. The Ministers reiterated the importance of addressing the issue of nonproliferation and disarmament in all its aspects. The Ministers underlined the importance of close collaboration between participants to prevent proliferation of weapons of mass destruction and their means of delivery. The Ministers also stressed the need to strengthen technical cooperation in order to enhance countries' capabilities and to strengthen national legal measures to address the issue of nonproliferation in all its aspects, in accordance with the international law. The Ministers adopted the ARF Statement on Non-proliferation, as appears in **ANNEX D**.

29. The Ministers of the States Parties to NPT agreed to make further efforts for the successful outcome of the 2005 NPT Review Conference. They emphasized the importance of promoting the universalization of non-proliferation and disarmament agreements. The Ministers called for the maintenance of existing moratorium on nuclear testing. The Ministers also reaffirmed their support for the concept of internationally recognized nuclear-weapons-freezones (NWFZs) established on the basis of arrangements freely arrived at among States in the region, and emphasized the contribution of such zones to enhancing global and regional peace and security. They reaffirmed the importance of the early accession of Nuclear Weapons States to the Protocol of the SEAN WFZ Treaty.

30. The Ministers noted the importance of all countries in the region to take strong measures to eliminate the illicit trafficking of small arms and light weapons to non-state actors.

31. The Ministers noted the success to date of the Pacific Island Forum's Regional Assistance Mission to the Solomon Islands (RAMSI), which represented a Pacific solution to a Pacific problem.

Activities of the Current Inter-sessional Year (July 2003-July 2004)

32. The Ministers expressed their satisfaction with the success of Track I and Track II activities during the current inter-sessional year (July 2003 — July 2004). They noted, in particular, the ARF Inter-sessional Support Group on Confidence Building Measures (ISG on CBMs), co-chaired by China and Myanmar, held in Beijing, China, 20-22 November 2003 and in Yangon, Myanmar, 11-13 April 2004. The Ministers commended the work of the ISG on CBMs in advancing the ARF process. They noted the summary report of the co-chairmen, which appears as **ANNEX E**, and endorsed its recommendations.

33. The Ministers noted the following activities, which were completed in intersessional year 2003/2004:

- 7th ARF Meeting of the Heads of Defence Colleges/Institution in New Delhi, 15-17 October 2003.
- Workshop on "Civil-Military Relations and the Rule of Law" in Brunei Darussalam, 11-12 February 2004.
- ARF Workshop on Preventive Diplomacy, Tokyo, 16-17 March 2004.

Programme of Work for the Next Inter-sessional Year

34. The Ministers agreed that the ISG on CBMs continue its work and welcomed the offer of Cambodia and the European Union to co-chair the ISG on CBMs in the next inter-sessional year. The Ministers also noted that the next ISG on CBMs will be held in Phnom Penh on 26-27 October 2004 and the second meeting of the ISG on CBMs will be held in Berlin in March 2005.

35. The Ministers reaffirmed the procedure that proposed activities should first be discussed at the ISG level before SOM noted the new activities. In this regard, the Ministers approved the work program for the next inter-sessional year (July 2004 –July 2005), as indicated by the proposed CBM activities listed in **ANNEX F**.

Future Direction of the ARF Process

36. The Ministers expressed their satisfaction with further progress made in the implementation of the Nine Recommendations of the Stocktaking of the ARF process and underlined the importance of implementing all remaining recommendations.

37. The Ministers stressed the importance of the adopted Concept and Principles of Preventive Diplomacy in guiding the ARF in its actions and works in Preventive Diplomacy (PD) thus far, noting that some of the concepts have been translated into actions. In this regard, they expressed their appreciation for the convening of the Workshop on Preventive Diplomacy in Tokyo , March 2004, which had explored and elaborated various ideas for moving the ARF process further. In the same vein, the Ministers also took note of the concept papers circulated by Canada and Japan , respectively, regarding the evolution of the ARF. The Ministers requested the ISG on CBMs to continue its efforts in discussing PD. In this regard, the Ministers underlined that the present work in tackling terrorism represents a milestone in the ARF's development of a preventive role.

38. The Ministers agreed to extend further cooperation and support for the ARF Chair in carrying out the mandates outlined in the paper on the Enhanced Role of the ARF Chair, particularly in assigning the ASEAN Secretariat to assist the ARF Chairman in facilitating the work of the ARF. In this regard, the Ministers were encouraged by and supported the establishment of an ARF Unit within the ASEAN Secretariat, which would, among others, regularly update the ARF Register of CBMs and serve as the repository of ARF documents.

39. The Ministers emphasized the need to continue strengthening ties with other regional and international security organizations as well as link ages between Track I and Track II.

40. The Ministers noted that the continued publication of the ARF Annual Security Outlook (ASO) is an important contribution to transparency as well as confidence building among ARF participants. In this regard, the Ministers welcomed the fifth volume of the ASO compiled without editing by the ARF Chair. They also encouraged the continued submission of inputs on the next volume of the ASO.

41. The Ministers appreciated the publication of an updated Register of Experts/Eminent Persons (EEPs). In this connection, the Ministers agreed to adopt the Guidelines for the Operation of the ARF EEPs, which appears as **ANNEX G**. The Ministers expressed their appreciation to

the Republic of Korea in working closely with ARF countries to finalize the Guidelines.

42. The Ministers welcomed the contribution made by defence officials in the ARF process and endorsed China 's proposal on the ARF Security Policy Conference (ASPC), which appears as **ANNEX H**. The Ministers welcomed China 's offer to host the 1st ASPC by the end of 2004 and agreed that Indonesia would Chair this Conference. The Ministers underlined the principle that the ASPC should be convened back-to-back with the annual ARF SOM and therefore subsequent ASPC will be hosted and chaired by the ARF Chair country. The 2nd ASPC will therefore be held in Vientiane under the chairmanship of Lao PDR.

43. The Ministers noted the Matrix of ARF Decisions and Status prepared by the ARF Unit at the ASEAN Secretariat and agreed that the Matrix should be updated on an annual basis to contribute to building ARF institutional memory. The Matrix appears as **ANNEX I**.

44. The Ministers expressed their satisfaction with the open dialogue regarding the progress of the ARF process and committed to further advancing the ARF process towards the preventive diplomacy stage and beyond, at a pace comfortable to all, while continuing to build mutual confidence and trust among its participants.

Annex 148

Association of Southeast Asian Nations, *Plan of Action to Implement the Joint Declaration on ASEAN-China Strategic Partnership for Peace and Prosperity* (29 Nov. 2004)



<http://www.asean.org/news/item/plan-of-action-to-implement-the-joint-declaration-on-asean-china-strategic-partnership-for-peace-and-prosperity>

Plan of Action to Implement the Joint Declaration on ASEAN-China Strategic Partnership for Peace and Prosperity

Pursuant to the Joint Declaration of the Heads of State/Government of the Association of South East Asian Nations and the People's Republic of China on Strategic Partnership for Peace and Prosperity signed at the Seventh ASEAN-China Summit on 8 October 2003 in Bali, Indonesia, this Plan of Action is formulated to serve as the "master plan" to deepen and broaden ASEAN-China relations and cooperation in a comprehensive and mutually beneficial manner for the next five years (2005-2010) with the view to strengthening the strategic partnership for regional peace, development and prosperity and playing a proactive role to tap the opportunities and meet the challenges of the new millennium.

This Plan of Action will also support the implementation of the Declaration of ASEAN Concord II, signed in Bali on 7 October 2003, leading to an ASEAN Community.

In the light of the above, ASEAN and China will pursue the following joint actions and measures:

1. POLITICAL AND SECURITY COOPERATION

1.1 Regular High-level Contacts, Visits and Interactions

1.1.1 Increase regular high-level bilateral visits and interactions, improve contacts and communications, and promote dialogue on ASEAN-China cooperation and regional and international topics of common interests and concerns, among others, through strengthening existing mechanisms, establishing hotline for communications, using electronic mail for dissemination of information and correspondence, and holding informal meetings to exchange views on various issues.

1.2 Mechanisms for Dialogue and Cooperation

1.2.1 Strengthen the role of the ASEAN-China Senior Officials Consultation (SOC) in assisting the ASEAN-China Summit and the ASEAN-China Ministerial Meeting in providing guidance and strategic direction to further enhance ASEAN-China dialogue relations and cooperation;

1.2.2 Enhance the role of the ASEAN-China Joint Cooperation Committee Meeting (JCC), ASEAN-China Working Group on Development Cooperation, and the Senior Economic Officials-Ministry of Commerce of China (SEOM-MOFCOM) Consultations in monitoring, coordinating, and reviewing ASEAN-China dialogue relations, including development cooperation;

1.2.3 Improve coordination and communication among existing ASEAN-China mechanisms at various levels and sectors, including foreign affairs, economics, transport, customs, youth, and prosecutors-general to ensure timely and effective implementation of decisions and initiatives taken at the ASEAN-China Summit and other related ministerial and senior officials' meetings;

1.2.4 Explore, if and when necessary and based on mutual consensus, the need for additional mechanisms at appropriate levels in other areas of cooperation such as agriculture, public health, information technology, tourism, environment, quality supervision inspection and quarantine cooperation, public security and law enforcement cooperation; and

1.2.5 Facilitate dialogue, exchanges and cooperation between defence officials of China and ASEAN Member Countries, where appropriate.

1.3 Treaty of Amity and Cooperation in Southeast Asia

1.3.1 Continue to promote the role of the Treaty of Amity and Cooperation in Southeast Asia as a code of conduct for inter-state relations in Southeast Asia; and

1.3.2 Cooperate to urge other ASEAN Dialogue Partners to accede to the Treaty so as to enhance regional peace and

security, prosperity, and mutual confidence and trust.

1.4 Protocol to the Treaty on the Southeast Asia Nuclear Weapon-Free Zone

1.4.1 China supports ASEAN's efforts towards realising a Southeast Asia Nuclear- Weapon Free Zone (SEANWFZ) and reaffirms its readiness to sign the Protocol to the SEANWFZ Treaty at an early opportunity; and

1.4.2 Cooperate in encouraging all the Nuclear Weapon States to sign the Protocol.

1.5 Declaration on the Conduct of Parties in the South China Sea

1.5.1 Implement in an effective way the Declaration on the Conduct of Parties (DoC) in the South China Sea to maintain regional stability and promote cooperation in the South China Sea;

1.5.2 Convene regular ASEAN-China Senior Officials Meeting (SOM) on the realisation of the DoC to provide guidance for and review the implementation of the DoC;

1.5.3 Establish a working group to draw up the guidelines for the implementation of the DoC and to provide recommendations to the ASEAN-China SOM on policy and implementation issues;

1.5.4 Promote joint cooperation and dialogue in areas such as marine scientific research, protection of the marine environment, safety of navigation and communication at sea, search and rescue operation, humane treatment of all persons in danger or distress, fight against transnational crimes as well as cooperation among military officials;

1.5.5 Promote trust and confidence building through cooperative activities, in accordance with the principles of the DoC, in particular, those of consultations and consensus among the concerned Parties in the South China Sea, pending the peaceful settlement of the territorial and jurisdictional issues as stated in the DoC;

1.5.6 Affirm the vision of the DoC state parties to work, on the basis of consensus, on the eventual adoption of a code of conduct in the South China Sea; and

1.5.7 Adhere to the terminologies used in the UN Convention on the Law of the Sea and other instruments of the International Maritime Organisation.

1.6 Cooperation in the Field of Non-traditional Security

1.6.1 Implement measures and activities agreed upon under the Joint Declaration of ASEAN and China Cooperation in the Field of Non-traditional Security Issues signed on 4 November 2002 in Phnom Penh and the ASEAN-China Memorandum of Understanding (MoU) on Cooperation in the Field of Non-traditional Security Issues signed on 10 January 2004 in Bangkok;

1.6.2 Jointly develop the 2005 Work Plan and subsequent annual work plans to implement the ASEAN-China MoU on Cooperation in the Field of Non-Traditional Security Issues focusing on substantive activities and projects of mutual interests;

1.6.3 Enhance cooperation in the fight against transnational crimes through existing mechanisms such as the ASEAN Senior Officials Meeting on Transnational Crime and China Consultation, ASEAN-China Cooperative Operations in Response to Dangerous Drugs (ACCORD), ASEAN Plus Three Ministerial Meeting on Transnational Crime and the ASEAN Plus Three Senior Officials Meeting on Transnational Crime;

1.6.4 Promote contacts and cooperation between law enforcement agencies and prosecution bodies on criminal justice and relevant legal systems;

1.6.5 Increase personnel exchanges, training programmes and seminars to share best practices and experiences on procedures and law enforcement for concluding bilateral and multilateral agreements on counter-terrorism, illicit drug trafficking, trafficking in persons, illegal migration, sea piracy, and international economic crimes, and to enhance competence in criminal technology, forensic sciences, immigration, road transport management, and investigation into cyber crimes;

1.6.6 Explore cooperation, where appropriate and in accordance with their national law, in intelligence-sharing, investigation and evidence-collection, arresting and escorting criminal suspects and retrieving stolen goods or money;

1.6.7 Promote Alternative Development (AD) as an effective means to prevent and eliminate illicit drugs;

1.6.8 Support joint research between experts and scholars in the field of non-traditional security issues; and

1.6.9 Initiate and support development projects that aim at eradicating poverty and socio-economic disparity and injustices as well as promoting the elevation of standard of living, in particular, of underprivileged groups and people in underdeveloped areas; as transnational crime and terrorism cannot be successfully eliminated without identifying, addressing and eradicating the root causes in order to prevent new recruits to criminal syndicates and terrorist entities.

1.7 Military Exchanges and Cooperation

1.7.1 Promote mutual confidence and trust in defence and military fields with a view to maintaining peace and stability in the region;

1.7.2 Conduct dialogues, consultations and seminars on security and defence issues;

1.7.3 Strengthen cooperation on military personnel training;

1.7.4 Consider observing each other's military exercises and explore the possibility of conducting bilateral or multilateral joint military exercises; and

1.7.5 Explore and enhance cooperation in the field of peacekeeping.

2. ECONOMIC COOPERATION

2.1 ASEAN-China Free Trade Area

2.1.1 Expedite the implementation of the ASEAN-China Framework Agreement on Comprehensive Economic Cooperation to liberalise and promote trade in goods and services and create a transparent, liberal and facilitative investment regime;

2.1.2 Fulfil obligations and commitments under the Early Harvest Programme and the ASEAN-China Trade in Goods Agreement and expedite negotiations on Trade in Services and Investment;

2.1.3 Enhance trade, investment and economic cooperation as well as upgrade technical cooperation;

2.1.4 Establish channels of communication with all the stake holders, such as government officials, chamber of commerce and industry, research institutions, think-tanks, etc., for the successful implementation of the Framework Agreement on ASEAN-China Comprehensive Economic Cooperation; and

2.1.5 Strengthen the economic and technical cooperation in the areas of agriculture, information and communication technology, human resource development, investment, Mekong River basin development, Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA), and other areas of mutual interest so as to reach the goal of common development and prosperity of China and ASEAN.

2.2 Investment Cooperation

2.2.1 Promote mutual investments by increasing exchanges and mutual understanding among investment authorities, including the private sectors in ASEAN Member Countries and China;

2.2.2 Promote networking and cooperation among governments, business associations, academic institutions and corporations, among others, through promotion fairs on investment policies in China and ASEAN Member Countries and by holding regular ASEAN-China Exposition in Nanning, China, and if or when appropriate in ASEAN;

2.2.3 Promote mutual understanding and cooperation among enterprises in ASEAN Member Countries and China, among others, through the chambers of commerce, the ASEAN-China Business and Investment Summit and the ASEAN-China Business Council;

2.2.4 Encourage enterprises in China to make ASEAN a priority investment destination and vice versa, and create a more conducive and attractive climate for the flow of such investments; and

2.2.5 Strengthen the law enforcement and regulations so as to provide favourable conditions for investments.

2.3 Financial Cooperation

2.3.1 Strengthen economic review and policy dialogue through the ASEAN Plus Three framework, including the development of early warning system and monitoring of short-term capital flows;

2.3.2 Promote closer financial cooperation and greater financial stability in ASEAN Plus Three countries;

2.3.3 Promote dialogues on macro-economic and financial policies in appropriate fora;

2.3.4 Enhance the effectiveness of the Chiang Mai Initiative;

2.3.5 Develop and deepen regional bond markets;

2.3.6 Promote regional financial and monetary integration;

2.3.7 Strengthen human resource development and capacity building in banking and financial sectors, particularly under the ASEAN Plus Three cooperation; and

2.3.8 Enhance cooperation and technical assistance to develop ASEAN-China capital markets.

2.4 Agricultural Cooperation

2.4.1 Continue implementing the MoU between the ASEAN Secretariat and the Ministry of Agriculture of the People's Republic of China signed on 2 November 2002 in Phnom Penh;

2.4.2 Enhance cooperation on human resources development through training courses, including on agricultural techniques and management;

2.4.3 Establish technology demonstration farms, including the establishment of technology demonstration zones;

2.4.4 Undertake hi-tech exchanges and promote cooperation in various key areas of mutual interest such as hybrid rice and corn, horticultural plants cultivation, bio-technology application, fertiliser, water management, post harvest technology, food security, aquaculture, livestock breeding, organic farming and marsh gas application in the rural areas;

2.4.5 Support economic and trade cooperation through training, seminars, exhibitions, shows and project demonstrations to promote the trade of farm tools, processing machinery and techniques and equipment, agricultural production materials, grains and improved species;

2.4.6 Enhance technical exchanges and cooperation among agricultural experts and agriculture-related enterprises for study, observation, and training in agriculture, fisheries and agriculture-related fields;

2.4.7 Improve agricultural productivity and diversification;

2.4.8 Promote Greater Mekong Sub-region (GMS) agricultural exchanges and development among GMS member countries, in cooperation with the Asian Development Bank (ADB);

2.4.9 Enhance trade and marketability of food, agriculture and forestry products/ commodities between ASEAN and China;

2.4.10 Enhance cooperation to adopt joint approaches, where appropriate, in international and regional issues pertaining to agriculture;

2.4.11 Promote sustainable management of forest resources through enhancing dialogue and cooperation;

2.4.12 Harmonise related protocols on food safety and organise a network of food laboratories in ASEAN and China; and

2.4.13 Build the capacity of farmers and farming community in ICT in ASEAN and China.

2.5 ICT Cooperation

2.5.1 Expedite the implementation of the MoU between ASEAN and China on Cooperation in Information and Communications Technology signed in October 2003 in Bali, Indonesia;

2.5.2 Promote the establishment and development of ASEAN-China broadband high-speed optical fibre network and information flow and the application of new technology in the region;

2.5.3 Promote HRD cooperation through various training courses, seminars, workshops as well as exchange of visits among ICT experts;

2.5.4 Establish the ASEAN-China ICT cooperation website;

2.5.5 Explore the possibility of convening ASEAN-China ICT Ministers' Meeting to foster ICT policy dialogues and cooperation;

2.5.6 Convene "ASEAN-China ICT Week" on a regular basis to promote ICT cooperation;

2.5.7 Formulate cooperative and emergency response procedures for purposes of maintaining and enhancing cybersecurity, and preventing and combating cybercrime; and

2.5.8 Strengthen cooperation in research and development and transfer of technology.

2.6 Transport Cooperation

2.6.1 Conclude MoU between ASEAN-China on Transport Cooperation and implement the measures and activities contained in the MoU;

2.6.2 Formalise a consultation mechanism for maritime transport cooperation under the ASEAN-China Transport Ministers' Meeting in close coordination with other related ASEAN fora and carry out mutually beneficial projects in such areas as maritime safety and security, search and rescue at sea, marine environmental protection against pollution from ships, ship ballast water management, port state control and international shipping;

2.6.3 Work towards developing and signing a ASEAN-China regional maritime transport cooperation framework agreement;

2.6.4 Support the development of the Asian Highway Network by taking measures such as establishing routes databases, harmonising technical standards of infrastructure and facilities and facilitating international land transport;

2.6.5 Complete Kunming-Bangkok highway by the end of 2007; and

2.6.6 Strengthen capacity building in port management, navigation channel technology, transportation infrastructure design and construction and other areas of common interest in the transport sector.

2.7 Tourism Cooperation

2.7.1 Explore the possibility of establishing a high-level cooperation mechanism between relevant tourism authorities;

2.7.2 Promote better understanding of each other's tourism industry, policies, laws and regulations, among others, through workshops, exhibitions, and shows;

2.7.3 Promote and strengthen tourism information exchange and cooperation on regulating tourism markets among national tourism organisations covering areas such as tourism products, policies, laws and regulations;

2.7.4 Encourage flows of tourists and attract more foreign visitors through joint promotion campaigns;

2.7.5 Promote networking and training programmes among ASEAN and China tourism schools and colleges;

2.7.6 Jointly formulate tourism development plans incorporating joint promotion, marketing, investment and human resource development;

2.7.7 Support the organisation and implementation of ASEAN tourism investment road shows and seminars;

2.7.8 Encourage each other participation in International Tourism Fair in China and the annual ASEAN Tourism Forum;

2.7.9 Enhance cooperation on rectifying tourism business operators and standardising outbound travels and border tours; and

2.7.10 Encourage participation in the capacity-building activities provided by the World Tourism Organisation (WTO).

2.8 Energy Cooperation

2.8.1 Explore the possibility of establishing a high-level cooperation mechanism between relevant energy authorities;

2.8.2 Strengthen policy exchanges and communication with a view to promoting greater openness, transparency, and cooperation in energy security and sustainable energy development activities;

2.8.3 Enhance cooperation in the development and production of renewable energy, energy efficiency and conservation, clean coal technology and energy policy and planning, as well as in the establishment of institutional linkages for developing other programs of cooperation;

2.8.4 Strengthen energy cooperation and encourage greater private-sector participation and investment in joint energy resource exploration and development;

2.8.5 Cooperate in the promotion of energy conservation and the development of clean and efficient energy resources in efforts to diversify sources of primary energy supply while preserving a balance between energy production, consumption and environmental protection;

2.8.6 Establish a sound and commercially viable regional energy transportation network through mutually beneficial activities and investments including the exploration and production of oil and natural gas, development of gas pipeline and transport infrastructure, and other supply facilities; and

2.8.7 Encourage exchange of information on energy pricing and market stabilising initiatives to better manage the risks of international oil market volatility, on voluntary basis.

2.9 Mekong River Basin Development Cooperation

2.9.1 Strengthen cooperation under the framework of the Greater Mekong Sub-region (GMS) and ASEAN-Mekong Basin Development Cooperation (AMBDC); and

2.9.2 Develop the Singapore-Kunming Rail Link.

2.9.1.1 Transportation

2.9.1.1.1 Build railways and roads from Kunming to Yangon and Myitkyina;

2.9.1.1.2 Improve the roads from China's Yunnan province to Viet Nam and the railway links between China and Viet Nam;

2.9.1.1.3 Carry out possibility study of building railway links from China to Laos and Myanmar;

2.9.1.1.4 Consider implementing measures to improve navigational safety on the Lancang-Mekong River in a sustainable manner through consultations among the riparian countries, while undertaking to preserve the environment and unique way of life of the people who live along the river;

2.9.1.1.5 Consider the further expansion of the Environmental Impact Assessment of the navigation channel improvement project on the upper Mekong River, and share information with the lower Basin countries;

2.9.1.1.6 Consider the possibility to open more aviation routes in the sub-region at an appropriate time; and

2.9.1.1.7 Carry out preliminary study on the missing rail link between Phnom Penh and Loc Ninh, the missing section in Cambodia which is part of the Singapore-Kunming Rail Link.

2.9.1.2 ICT

2.9.1.2.1 Promote international cooperation in terms of investment and human resources development on ICT; and

2.9.1.2.2 Explore the possibility of establishing a GMS information highway.

2.9.1.3 Trade

2.9.1.3.1 Launch the experimental project of one stop inspection under the Agreement for Facilitation of Cross Border Movement of Goods and People between and among GMS Countries whose modalities are subject to consultation and consensus among countries concerned so as to facilitate trade; and

2.9.1.3.2 Explore the possibility study of setting up commodity markets in major border cities and other distribution centres in ASEAN and China.

2.9.1.4 Tourism

2.9.1.4.1 Explore the possibility of establishing a regional tourism corridor with a view to making tourism a key industry in the region.

2.9.1.5 Electrification

2.9.1.5.1 Implement the GMS Inter-Governmental Agreement on Regional Power Trade (IGA) and speed up the formulation of Sub-region Power Trade Operating Agreement (PTOA);

2.9.1.5.2 Promote GMS transnational electric power networking conducive to environmental and social well-being; and

2.9.1.5.3 Enhance cooperation on rural electrification.

2.9.1.6 Environmental Protection

2.9.1.6.1 Enhance cooperation on the protection of bio-diversity in the sub-region and explore the possibility of establishing a bio-diversity corridor;

2.9.1.6.2 Promote forestation in Lancang-Mekong River basin and Honghe River basin to bring soil erosion under control;

2.9.1.6.3 Work towards managing and monitoring water quality of Mekong river;

2.9.1.6.4 Establish nature reserves to protect rare species, among others, through the mechanism of the relevant environmental instruments, such as the ASEAN Agreement on Transboundary Haze Pollution and the ASEAN Declaration on Heritage Parks;

2.9.1.6.5 Continue to protect the environment and promote sustainable use including the equitable access and benefit sharing of the sub-region's shared natural resources and their biodiversity;

2.9.1.6.6 Promote exchange of information and strengthen cooperation concerning the use of water in the Lancang-Mekong River, with a view to achieve sustainable development of all riparian countries; and

2.9.1.6.7 Promote cooperative activities to address global warming.

2.9.1.7 Public Health

2.9.1.7.1 Establish an integrated prevention and control system for communicable and non-communicable diseases;

2.9.1.7.2 Promote Alternative Development (AD) to check drug production and distribution; and

2.9.1.7.3 Strengthen cooperation to prevent production and spread of counterfeit drugs.

2.9.2 Other Sub-regional Initiatives

2.9.2.1 Support other sub-regional development initiatives and welcome Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS) as further means to narrow the development gap.

2.10 Initiative for ASEAN Integration

2.10.1 China will intensify support for the ASEAN's integration efforts by implementing Initiative for ASEAN Integration (IAI) projects and providing technical assistance for projects developed to implement the Vientiane Action Programme (VAP) and other related ASEAN action programmes, including human resource development and capacity building for the least developing countries (LDC) of ASEAN and pockets of underdevelopment in the ASEAN-6 countries; and

2.10.2 China will support ASEAN's efforts to narrowing the development gaps within ASEAN and between ASEAN and

China by enhancing regional and sub-regional development.

2.11 Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA)

2.11.1 Explore the possibility of establishing a regular dialogue between BIMP-EAGA Secretariat and China;

2.11.2 Strengthen cooperation in the priority sectors identified for BIMP-EAGA development, namely SMEs, agriculture, transport, infrastructure and ICT, natural resources, and tourism;

2.11.3 Cooperate in resource development through direct investment, project-contracting and technology-sharing;

2.11.4 Increase dialogue between the East Asian Business Council (EABC) and relevant associations in China (i.e., China Council for the Promotion of International Trade, its quasi-government business chamber), apart from government-to-government dialogue, to strengthen coordination and synergise links among the private sectors of China and EAGA;

2.11.5 Promote and support the efforts of the BIMP-EAGA and the East Asian Business Council to expand mutual trade and investments between BIMP-EAGA and China; and

2.11.6 Provide opportunities for possible technical and capital assistance for BIMP-EAGA programs and projects.

2.12 SMEs Cooperation

2.12.1 Explore the possibility of establishing a SMEs Joint Committee to discuss issues and promote cooperation related to SMEs;

2.12.2 Jointly identify possible areas of cooperation, including promotion of business collaboration, investment and finance, and marketing development, capacity building for SMEs, business matching, and exchange of information on SMEs policies and best practices through seminars, workshops, networking, research and development for SMEs, and promotion of industrial clustering between SMEs of both sides; and

2.12.3 Promote programmes for enhancing ASEAN Small and Medium Enterprise and Industries' capacity, technology, financing, business opportunities and market access.

2.13 Industrial Cooperation

2.13.1 Strengthen cooperation in HRD and exchange of experience in the formulation of plans and models of local industries.

3. FUNCTIONAL COOPERATION

3.1 Public Health Cooperation

3.1.1 Establish regional epidemiological and laboratory networks based on existing national and regional institutions and designate key epidemiological centres and laboratories for disease monitoring to ensure effective and efficient disease surveillance and response;

3.1.2 Enhance regional, and inter-regional cooperation in order to jointly control and prevent communicable and non-communicable diseases;

3.1.3 Establish mechanisms on early notification, control and monitoring of infectious and emerging diseases such as, but not limited to, SARS, avian flu, plague, cholera and HIV/AIDS;

3.1.4 Strengthen technology exchanges and training activities and health human resources development through seminars and the establishment of training bases;

3.1.5 Exchange experts, knowledge and best practices for the establishment of communicable diseases monitoring systems;

3.1.6 Consider the establishment of a cooperation mechanism on health quarantine;

3.1.7 Establish joint testing and control mechanism for the prevention of transnational transport of bio-terrorist factors as well as nuclear and radioactive materials for non-peaceful activities;

3.1.8 Enhance regional, inter-regional cooperation to jointly resolve and prevent immediate public health problems and other infectious diseases;

3.1.9 Exchange experts for promotion and development of traditional and alternative medicines; and

3.1.10 Promote exchange of information in incorporating traditional medicine/ complimentary and alternative medicine (TM/CAM) into national healthcare system.

3.2 Science and Technology Cooperation

3.2.1 Strengthen cooperation in implementing HRD and joint research and development activities in the areas identified by the ASEAN-China Joint Science and Technology Committee (JSTC), including biotechnology, remote sensing, seismology, food, marine science, non-conventional energy and materials science and technology, and other new areas which are mutually beneficial;

3.2.2 Implement joint scientific research and technology development activities among research institutions in ASEAN and China in the areas identified by the JSTC;

3.2.3 Organise various scientific workshops and seminars in China, specifically for CLMV countries or other ASEAN countries, which are technologically less developed on applicable technologies;

3.2.4 Strengthen cooperation among technology-oriented SMEs of ASEAN and China;

3.2.5 Organise exhibition on technological innovation by China-ASEAN SMEs during China-ASEAN Expo; and

3.2.6 Explore cooperation in space technology applications and meteorology.

3.3 Education Cooperation

3.3.1 Continue to implement the ASEAN-China Academic Cooperation and Exchange Programme between ASEAN University Network (AUN) and Chinese Ministry of Education (CME);

3.3.2 Carry out joint research and training and exchange outstanding professors, teachers and students with the ASEAN University Network (AUN) as the platform;

3.3.3 Promote teaching of each other's language in China and ASEAN Member Countries and encourage more students to study in each other's universities;

3.3.4 Encourage and support inter-collegiate exchanges and cooperation;

3.3.5 Promote mutual recognition of academic degrees among interested universities in ASEAN and China;

3.3.6 Facilitate the establishment of a directly linked university website between China Education and Research Network (CERNET) and AUN;

3.3.7 Consider establishing a civil servant training and exchange mechanism between China and ASEAN countries, including diplomats training;

3.3.8 Continue to provide additional scholarships for short and long-terms to ASEAN Member Countries, especially to the less developing countries;

3.3.9 Encourage participation in educational exhibition or road shows between ASEAN and China universities to create awareness and disseminate information about the universities in the respective countries; and

3.3.10 Facilitate visa procedure for Chinese students and faculties who travel to ASEAN Member Countries for academic purposes and vice versa.

3.4 Culture Cooperation

3.4.1 Expedite the formulating of implementation plans after the signing of the ASEAN-China MOU on Cultural Cooperation;

3.4.2 Conduct active exchanges and cooperation in literature, the performing arts, visual arts, art education and cultural

industry;

3.4.3 Encourage and support cooperation between departments of historical relics, archaeology and cultural heritage preservation, museums, archives, libraries, and cultural institutes;

3.4.4 Strengthen coordination and communication between and among cultural departments of national governments and encourage non-governmental cultural and art groups to engage in multilateral cultural exchanges;

3.4.5 Step up cooperation to explore market for cultural products and vigorously develop cultural industry;

3.4.6 Support each other on hosting high-profile cultural and art events;

3.4.7 Jointly preserve and promote national traditional festivals;

3.4.8 Encourage and support sports exchanges and cooperation; and

3.4.9 Promote socio-culture cooperation by commencing the development of SMCE and sharing experiences in the field of socio-culture on theme "One Village One product" and in the field of Development of Cultural Mapping.

3.5 Labour and Social Security Cooperation

3.5.1 Exchange information, through seminars or workshops, on labour market promotion with a view to formulating policies and regulations on labour flow in the future;

3.5.2 Exchange information and share experiences on labour laws and regulations with a view to promoting and enhancing the labour standards and the well-being of workers from ASEAN and China;

3.5.3 Strengthen exchanges and cooperation in human resources development with China's assistance to ASEAN for training courses, study-tours and seminars; and

3.5.4 Strengthen cooperation in the development of social security systems with China's support in providing professional training for social insurance personnel from ASEAN Member Countries.

3.6 Human Resources Development (HRD) Cooperation

3.6.1 Continue the promotion of HRD cooperation through the implementation of HRD programmes benefiting participants from both sides;

3.6.2 Strengthen HRD cooperation in the five priority areas under the ASEAN-China cooperation and other new and emerging areas of cooperation in ASEAN, among others, through training courses, study tours and seminars; and

3.6.3 Encourage private sector participation in the human resource development process.

3.7 Local Government Cooperation and People-to-People Exchanges

3.7.1 Exchanges Between Local Governments

3.7.1.1 Facilitate provinces/cities to become sister provinces/cities and to encourage governors and mayors to conduct dialogue and exchanges;

3.7.1.2 Hold experience-sharing meetings and seminars for local governments in urban planning, administration and external cooperation through, among others, the ASEAN Environmentally Sustainable Cities Programme; and

3.7.1.3 Support local governments' participation in the multilateral cooperation activities.

3.7.2 Non-governmental Exchanges and People-to-People Interaction

3.7.2.1 Explore the possibility of establishing exchanges and cooperation through the China-ASEAN Association and other non-governmental friendship institutions in various fields.

3.7.3 Youth Exchanges

3.7.3.1 Exchange volunteers in medical service and language teaching;

3.7.3.2 Continue the Lancang-Mekong River Youth Friendship Voyage;

3.7.3.3 Explore the possibility of establishing a ASEAN-China Young Entrepreneurs Forum;

3.7.3.4 Organise activities, such as ASEAN-China Youth Festival of Culture and Arts and ASEAN-China Youth Leadership Exchange Programme and support other cultural immersion programmes, including the existing annual ASEAN Youth Camps, and other activities for young leaders, outstanding youths and future leaders;

3.7.3.5 Establish link between the Youth ASEAN and All China Youth Federation websites;

3.7.3.6 Implement ASEAN-China Exchange Programmes for Young Managers and Entrepreneurs;

3.7.3.7 Consider organising annually ASEAN-China Young Leaders Forum to address topics such as economy, trade, human resource development, information and communication technology, education, environmental protection, agriculture and volunteers services; and

3.7.3.8 Consider holding ASEAN Young Leaders' Advanced Study class on a regular basis starting from September 2005 at the Guangxi International Young Exchange Institute of China.

3.8 Environmental Cooperation

3.8.1 Strengthen existing ministerial and senior officials consultations (ASEAN Plus Three Environment Ministerial Meetings and ASEAN Plus Three Senior Officials Meetings on the Environment) to implement identified-priority and potential areas of cooperation;

3.8.2 Convene, if necessary, a ASEAN-China Ministerial Meeting on Environment for policy dialogue, and establish a ASEAN-China joint committee for environmental protection to formulate work plans;

3.8.3 Strengthen cooperation in the ten agreed priority areas of cooperation under the ASEAN Plus Three cooperation;

3.8.4 Promote exchanges and cooperation between non-governmental environmental organisations and the general public; and

3.8.5 Explore the establishment of an ASEAN-China Environment Information Network.

3.9 Media Cooperation

3.9.1 Explore the possibility of setting up a press officials' dialogue mechanism for communication and exchange on news reporting and media policies;

3.9.2 Continue to implement the ASEAN-China Seminar on Mass Media Cooperation and share the experience of the development of media industry as well as promote media cooperation;

3.9.3 Co-host film and TV festivals in ASEAN and China;

3.9.4 Promote mutual visits and exchanges of journalists and strengthen cooperation in news reporting, press interviews and production of TV programmes;

3.9.5 Cooperate in making films and production of TV programmes, and promote exchanges of programmes;

3.9.6 Facilitate market access of audio-visual products through dialogue and consultations;

3.9.7 Undertake personnel training for the technicians and professionals in the TV and broadcasting sectors of ASEAN countries;

3.9.8 Advance and reinforce a positive international image of ASEAN and China relations supportive of the interests, policies, programmes and goals of both ASEAN and China through responsible news reporting; and

3.9.9 Establish a workshop on Enhancing ASEAN-China Cooperation through Information and Media.

4. COOPERATION IN INTERNATIONAL AND REGIONAL FORA

4.1 East Asia Cooperation

4.1.1 Strengthen East Asia cooperation by implementing the short-term, and medium and long-term measures of the East Asia Study Group (EASG) and enhancing functional cooperation in the various agreed sectors within the ASEAN Plus Three framework;

4.1.2 Carry out a joint study on the establishment of an East Asian community and the feasibility of an East Asia Free Trade Area within the ASEAN Plus Three framework;

4.1.3 Strengthen coordination and cooperation between ASEAN and China to further the ASEAN Plus Three process; and

4.1.4 Cooperate in promoting the interests and addressing the challenges facing ASEAN Plus Three Countries and East Asia through fora such as the ASEAN Plus Three Summit, East Asia Forum, Network of East Asia Think Tanks, and other related meetings, including the proposed East Asia Summit.

4.2 Inter-regional Cooperation

4.2.1 Maintain close coordination and cooperation in the ARF and promote its healthy development. China supports ASEAN as the major driving force in ARF and its efforts to advance the ARF process at a pace comfortable to all;

4.2.2 Promote the ACD process through cooperation on energy, agriculture, finance as well as other fields;

4.2.3 Promote coordination and cooperation in fora such as APEC and the Asia-Europe Meeting; and

4.2.4 Promote South-South cooperation through mechanisms such as Forum of East Asia and Latin America Cooperation (FEALAC) and Asia-Africa Sub-Regional Organisation Conference (AASROC).

4.3 Cooperation in the UN

4.3.1 Strengthen dialogue and cooperation on issues of mutual interest, such as UN reforms, counter-terrorism, development and other issues; and

4.3.2 Enhance closer coordination and hold regular meetings between the Permanent Representatives of ASEAN Member Countries and China in the UN.

4.4 Cooperation within the World Trade Organisation (WTO)

4.4.1 Make efforts to push for the completion of the negotiations on the Doha Development Agenda (DDA) with a view to achieving a well balanced and equitable outcome as stipulated in the July 2004 package;

4.4.2 Make the existing Special and Differential Treatment (S&D) as well as Less-than-Full-Reciprocity principle more precise, effective and operational to provide opportunity for developing members to participate more actively and enable them to derive benefit from trade liberalisation;

4.4.3 Support and work towards expanding technical assistance and help on capacity-building for developing countries;

4.4.4 Strengthen cooperation in the multilateral trading system, especially the WTO, to make it more responsive to the priorities of the developing countries;

4.4.5 Effectively address particular concerns of developing and less developed members through specific flexibility provision; and

4.4.6 Support the accession of Laos and Viet Nam to the WTO at the earliest possible time.

5. FUNDING

5.1 The activities mentioned in this Plan of Action will mainly be funded by ASEAN-China Cooperation Fund (ACCF) while cooperation in public health will be funded by the ASEAN-China Public Health Cooperation Fund. Where possible, physical infrastructure and related projects will be supported by the Government of China to the best of its capacity, and where feasible, by the Governments of ASEAN Member Countries.

5.2 The Chinese Government will contribute US\$ 5 million to the ACCF for five years (2005-2010) to implement the various activities and projects under this Plan of Action. If necessary, China will consider replenishing the ACCF to ensure smooth implementation of activities and projects under this Plan;

5.3 ASEAN and China will encourage international financial institutions/ agencies, development partners and their respective private sectors to participate in the implementation of major projects of interest to them under this Plan of Action; and

5.4 ASEAN and China will continue to strengthen existing funding mechanisms and look into providing requisite resources in accordance with their respective capacities as well as explore effective and innovative resource mobilisation strategies for mobilising resources for the effective implementation of this Plan.

6. INSTITUTIONAL ARRANGEMENTS

6.1 Concerned sectoral bodies in ASEAN and agencies in China will jointly draw up specific work programmes/projects to implement the various actions and measures outlined in this Plan of Action with the assistance of the ASEAN Secretariat. Experts from ASEAN and China could be invited, on a case-by-case basis, to develop specific work programmes and project proposals;

6.2 China will provide technical support to the ASEAN Secretariat in coordinating and implementing this Plan;

6.3 Regular review of this Plan will be conducted through existing mechanisms, such as the ASEAN-China Ministerial Meeting, ASEAN-China SOC, ASEAN-China JCC, SEOM-MOFCOM Consultations, ASEAN-China Working Group on Development Cooperation to ensure the Plan remains relevant to the needs and priorities of the ASEAN-China dialogue relations and to incorporate new and urgent areas of cooperation given the dynamic regional and international environment; and

6.4 Upon completion of this Plan, the ASEAN-China JCC with the assistance of the SEOM-MOFCOM Consultations and under the supervision of the ASEAN-China SOC will prepare a new five-year Plan of Action for the consideration and adoption of the ASEAN- China Summit through the ASEAN- China Ministerial Meeting.

Annex 149

Association of Southeast Asian Nations, *Joint Communiqué: 38th ASEAN Ministerial Meeting* (26 July 2005)



<http://www.asean.org/communities/asean-political-security-community/item/joint-communiqué-of-the-38th-asean-ministerial-meeting-vientiane-26-july-2005-theme-towards-the-harmony-dynamism-and-integration-of-asean-2>

Joint Communiqué of the 38th ASEAN Ministerial Meeting Vientiane, 26 July 2005 THEME: TOWARDS THE HARMONY, DYNAMISM AND INTEGRATION OF ASEAN

INTRODUCTION

1. We, the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN), met formally on 26 July 2005 in Vientiane, Lao People's Democratic Republic (Lao PDR), for the first time since the Vientiane Action Programme (VAP), the successor to the Ha Noi Plan of Action (HPA); the ASEAN Security Community (ASC) Plan of Action; and the ASEAN Socio-Cultural Community (ASCC) Plan of Action were adopted at the 10th ASEAN Summit in November 2004 in Vientiane. It was also the first time that Lao PDR hosted our regular annual meeting where we reviewed regional and international political, security, and economic developments, and intra and extra-ASEAN cooperation, including cooperation with our Dialogue Partners as well as wide-ranging issues as we move towards the establishment of an ASEAN Community in 2020 as envisioned in the Declaration of ASEAN Concord II (Bali Concord II) adopted in October 2003 in Bali, Indonesia.
2. The 38th ASEAN Ministerial Meeting was chaired by His Excellency Mr. Somsavat Lengsavad, Deputy Prime Minister and Minister of Foreign Affairs of the Lao PDR.
3. The Honourable Sir Rabbie Namiliu, Foreign Minister of Papua New Guinea, and His Excellency Mr. Jose Ramos Horta, Senior Minister and Minister of Foreign Affairs of Timor Leste, attended the Opening and Closing ceremonies of the 38th ASEAN Ministerial Meeting as a Special Observer in ASEAN and a Guest of the Chairman of the 38th ASEAN Standing Committee respectively.
4. His Excellency Mr. Bounnhang Vorachith, Prime Minister of the Lao PDR, graced the meeting with a Keynote Address. His Excellency Mr. Bounnhang Vorachith stated that a key factor leading to the success of ASEAN in the last decades is the harmonious combination of national interests and regional ones. This is the right recognition of the reality that although ASEAN Member Countries are very diverse, they share common interest in peace, stability and prosperity for each country and for the region as a whole. This is the true meaning of the "unity in diversity" of ASEAN and that we should continue our efforts to maintain such a harmonious combination in the process of building our ASEAN Community. Anything contrary to that could affect the basic foundation for the further development of ASEAN. The harmonious combination of national interests and community interests would be much visible by the extent of the ASEAN integration into the process of building the ASEAN Community. While realizing the importance of the ASEAN integration, especially in the economic field in the context of globalization and economic interdependence, ASEAN has adopted the Initiative for ASEAN Integration (IAI), the VAP and other plans of action which are currently being implemented and yielded some preliminary results. One of our immediate priorities is to expeditiously narrow the economic development gap within ASEAN and between ASEAN and other regions. He further stated that with the continuously high oil price, there is a need for ASEAN to pay more attention to the cooperation on energy as previously agreed by the Leaders at the 10th ASEAN Summit. This aims to mitigate the adverse impact on the economy of ASEAN as a whole as well as on the vulnerable economy of ASEAN new member countries, in particular. He noted that one of the energy sectors that can be a benefit to the region on a regular basis is a joint investment in building hydropower dams which would not only supply cheaper energy to the region than the oil based energy but would also enhance closer relations of intra-ASEAN economic development as well as help narrow the economic disparities within ASEAN.

THE ASEAN COMMUNITY

5. We were pleased with the adoption by our Leaders of the VAP, the ASC Plan of Action and the ASCC Plan of Action; the signing of the ASEAN Framework Agreement for the Integration of Priority Sectors; and the progress made in the implementation of programmes and projects building up to the realisation of the ASEAN Community comprising the three pillars of the ASC, AEC, and ASCC as enshrined in the Bali Concord II.
6. We agreed to work towards the establishment of an ASEAN Charter, which will reaffirm the objectives, goals and

principles of the ASEAN Community and beyond. In this regard, we agreed on a draft text of the Kuala Lumpur Declaration on the Establishment of an ASEAN Charter, including the establishment of the Eminent Persons Group (EPG), which will be recommended for approval and signature by our Leaders at the 11th ASEAN Summit on 12 December 2005 in Kuala Lumpur, Malaysia.

Vientiane Action Programme (VAP)

7. We expressed our satisfaction with the progress made in the implementation of the VAP, which includes, among others, the signing of the Agreement on the Establishment of an ASEAN Development Fund (ADF) that will, to a great extent, further boost the resource mobilisation efforts to support the financing of the implementation of the VAP and subsequent plans of action to realise the ASEAN Community.

8. We reiterated our commitment to make greater efforts to narrow the development gap among ASEAN Member Countries. In this connection, we called on our Dialogue Partners and friends, as well as regional and international organisations to support us in our efforts to effectively implement the VAP in a timely manner.

Narrowing the Development Gap (NDG) and Initiative for ASEAN Integration (IA)

9. We emphasised the immediate need to bridge the development gap among ASEAN Member Countries, which is crucial for the acceleration of the integration of ASEAN. In the long run, the NDG and IA will serve as building blocks for the establishment of an ASEAN Community. We noted and highly appreciated the participation of donor countries and institutions that have contributed positively to the implementation of the IA programme. In the light of the above, we agreed to work even harder to assist the less developed Member Countries and less developed regions in ASEAN to ensure that the integration of ASEAN is carried out in a smooth and unified manner and that the benefits of integration are reasonably shared among the Member Countries. In this connection, we called on our Dialogue Partners and friends, as well as regional and international organisations to support us in our efforts to effectively implement the IA Work Plan.

ASEAN SECURITY COMMUNITY (ASC)

10. We were gratified with the significant progress made in the implementation of the ASC Plan of Action, especially those activities that are contained in the VAP. The implementation of the ASC Plan of Action will lead to a peaceful, just, democratic, harmonious and stable ASEAN that is conducive to the sustainable social and economic development in the region as well as strengthen ASEAN's relations with its Dialogue Partners. We therefore called for the continued effective implementation of the programmes and activities under the ASC Plan of Action so as to realise the ASC in a timely manner. The Meeting welcomed the agreement, in principle, to convene the ASEAN Defence Ministers Meeting (ADMM) and a senior defence officials meeting would be convened to prepare for it.

11. We recalled the decision by ASEAN Leaders, through the adoption of the ASC Plan of Action and the VAP, to strengthen our efforts in promoting human rights in ASEAN. We also recalled decision at the 26th AMM to consider the establishment of an appropriate mechanism on human rights. We noted the work carried out by the non-governmental Working Group for an ASEAN Human Rights Mechanism, including the meeting between the open-ended ASEAN SOM troika and the Working Group at the sideline of the 38th AMM.

Treaty of Amity and Cooperation in Southeast Asia (TAC)

12. We reaffirmed the importance of the Treaty of Amity and Cooperation in Southeast Asia as an instrument of peace, security and cooperation in inter-state relations and were gratified that a growing number of countries outside ASEAN have either acceded or expressed their interest to accede to the TAC. In this context, we welcomed the accessions of the ROK and the Russian Federation during the 10th ASEAN Summit in Vientiane. We also welcomed the accession of New Zealand and Mongolia to the TAC on 29 July 2005. We also welcomed Australia's intention to accede to the TAC and looked forward to its accession to the TAC in Kuala Lumpur in December 2005. We appreciated Timor Leste for its interest to accede to the TAC. To ensure a lasting peace, stability and sustained development of ASEAN, we reiterated our call to other countries to accede to the TAC so as to create a favourable environment conducive for development in the region that will not only be beneficial to ASEAN but all its partners and friends as well.

South China Sea

13. We reaffirmed the importance of the Declaration on the Conduct of Parties in the South China Sea (DoC) signed by ASEAN and China in Phnom Penh in 2002 as an important step towards a regional code of conduct in the South China

Sea and has contributed to the peace and stability in the region. We welcomed China's view underscoring that a regional code of conduct in the South China Sea is essential, as conveyed during the 11th ASEAN China Senior Officials Consultations in Shanghai, China, in April 2005.

14. In this connection, we endorsed the establishment of the ASEAN-China Joint Working Group to study and recommend measures to translate the provisions of the DoC into concrete cooperative activities. We looked forward to the 1st Meeting of the Working Group on the implementation of DoC to be held in Manila in August 2005, as a concrete step towards the full implementation of the DoC.

15. We encouraged all parties concerned to continue to exercise of self-restraint and to continue to undertake confidence-building measures that would contribute to the maintenance of peace and stability in the region. In this connection, we took note of the cooperative activities already forged by some concerned parties, which yielded positive results through negotiation and dialogue, in the spirit of mutually beneficial cooperation. We also reaffirmed our commitment to resolve the dispute in the South China Sea through peaceful means in accordance with international conventions including the United Nations Convention on the Law of the Sea.

Transnational Crimes

16. We commended the work of the ASEAN Ministers Meeting on Transnational Crime (AMMTC) and emphasised the important role of the AMMTC in regional initiatives to combat transnational crimes identified under the Work Programme to implement the ASEAN Plan of Action to Combat Transnational Crime. We also commended the important contributions made by the ASEAN Member Countries to combating transnational crimes as well as the cooperation between ASEAN and the Dialogue Partners in this area through various training programmes and workshops. We looked forward to the convening of the 5th AMMTC on 27-30 November 2005, in Ha Noi, Viet Nam. We welcomed the endorsement of the ASEAN Plus Three Concept Plan to implement cooperation in combating terrorism and transnational crime and the efforts of the ASEAN Plus Three countries to develop work programmes to implement cooperation in the specific areas identified.

17. We recalled the adoption by our Leaders of the ASEAN Declaration Against Trafficking in Persons, Particularly Women and Children on 29 November 2004 in Vientiane, Lao PDR. We expressed our commitment to implement the declaration and stressed the importance of developing measures in raising awareness and other capacity building-related activities.

18. We welcomed the Joint Communiqué of the 25th ASEAN Chiefs of Police Conference held on 16-20 May 2005 in Bali, Indonesia.

Counter-Terrorism

19. We expressed outrage at the series of terrorist attacks in the United Kingdom and Egypt that resulted in the loss of innocent lives. We strongly condemn such acts of terror and extend our sympathies to the victims and their families. Such acts of terror will only steel the resolve of the international community to cooperate and defeat the scourge of terrorism.

20. We reiterated our strong condemnation of all acts of terrorism in all its forms and manifestations and emphasised the need to address the root causes of terrorism. We continue to reject any attempt to associate terrorism with any race, region, nationality or ethnic group. In this context, we are fully committed to enhance our cooperative efforts to combat international terrorism at national, regional, and international levels. We looked forward to continuing our determination to enhance coordination and cooperation with the international community in combating international terrorism. We believe this will ensure peace and stability, create an environment conducive to our efforts to attain sustainable development, progress and prosperity in ASEAN. We also reaffirmed that the fight against terrorism should be conducted in accordance with our obligations under international law and in respect of sovereignty, territorial integrity and the principle of non-interference in the internal affairs of other states.

21. We expressed our appreciation for efforts to enhance capacity to counter- terrorism such as the conclusion of the Treaty on Mutual Legal Assistance in Criminal Matters in November on 29 November 2004 in Kuala Lumpur. We also welcomed the existing network between regional centres, such as the International Law Enforcement Academy (ILEA) in Bangkok, the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT) in Kuala Lumpur and the Jakarta Centre for Law Enforcement Cooperation (JCLEC) in Semarang, Indonesia. We looked forward to continuing our cooperation in the training of officials involved in counter-terrorism through SEARCCT, JCLEC and ILEA. We welcomed the outcomes of

the workshops on International Legal Cooperation under the Bali Regional Ministerial Meeting on Counter-Terrorism coordinated by Thailand.

22. We recalled the adoption of the ASEAN-Japan Joint Declaration for Cooperation to Combat International Terrorism in November 2004 in Vientiane, Lao PDR, and looked forward to the implementation of the activities identified in the Joint Declaration. We also looked forward to the signing of the ASEAN-New Zealand, ASEAN-Republic of Korea, and ASEAN-Pakistan Joint Declarations for cooperation to combat international terrorism in the next few days in Vientiane. We encouraged Canada to consider signing the same declaration with ASEAN.

Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ)

23. We reaffirmed that the 1995 Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ) is extremely important to both confidence-building in Southeast Asia and the non-proliferation of nuclear weapons worldwide. We will continue our efforts to seek ways and means to secure the support of all five Nuclear Weapons States to sign the Protocol to the SEANWFZ. To this end, we expressed our appreciation to China for its readiness to be the first nuclear weapon state to accede to the Protocol to SEANWFZ.

ASEAN Regional Forum (ARF)

24. We reaffirmed ASEAN's role as a primary driving force of the ARF process and the ARF as the primary forum in enhancing political and security dialogue and cooperation in the wider Asia-Pacific region as well as the pivot for building peace and security in the region. We agreed to invite Timor Leste to attend the 12th ARF as the 25th participating country in the ARF and believed that Timor Leste's participation in the ARF would contribute to further enhance political and security dialogue and cooperation in the region.

25. We commended the important progress made in the implementation of the ARF activities, which had to a great extent contributed to political and security dialogue and cooperation in the Asia-Pacific region. We recognised the need to forge concrete cooperation among the ARF countries in building capacity and capabilities in order to better cope with challenges. We welcomed the ARF's progress towards Preventive Diplomacy (PD) and looked forward to the development of concrete measures in PD.

26. We noted with satisfaction the progress made in the implementation of the agreed ARF activities for the Inter-Sessional year 2004-2005. We agreed to move forward the ARF activities by replacing the Inter-Sessional Support Group on Confidence Building Measures (ISG on CBM) with the ISG on CBM and PD (ISG CBM and PD); to consider developing the concept of the Friends of the ARF Chair; streamline and strengthen working methods of the ARF; and to reactivate the ISM on Disaster Relief. We welcomed Indonesia and the People's Republic of China to co-chair the next ISM on Disaster Relief.

ASEAN ECONOMIC COMMUNITY (AEC)

27. We welcomed the substantial progress made by the ASEAN Economic Ministers in moving towards the realisation of the AEC through measures that reinforce the implementation of its existing economic initiatives; accelerate regional integration in eleven priority sectors; facilitate movement of business persons, skilled labour and talents; and strengthen the institutional mechanism of ASEAN, including improvement of the existing ASEAN dispute settlement mechanism to ensure the expeditious and legally-binding resolution of any economic disputes.

28. In this regard, we noted with appreciation the signing of the ASEAN Framework Agreement for the Integration of Priority Sectors by ASEAN Leaders and the signing of the ASEAN Sectoral Integration Protocols and the Roadmaps for Integration of the Priority Sectors, as well as the Protocol on Enhanced Dispute Settlement Mechanism (DSM) by ASEAN Economic Ministers during the 10th ASEAN Summit in November 2004 in Vientiane. We recognised that this will facilitate the realisation of the aspirations of ASEAN as a single market and a single production base in which there is free flow of goods, services and skilled labour, and a freer flow of capital along with equitable economic development and reduced poverty and socio-economic disparities within and across ASEAN Member Countries.

29. We were pleased to note that steps have been taken to identify new measures for the second phase of the implementation of the integration of priority sectors to further accelerate ASEAN integration to realise the AEC.

30. We also commended the important progress made by Sectoral Ministers in the area of ASEAN economic cooperation, including energy; information communication technology (ICT); transport; tourism; food, agriculture and forestry; minerals; and finance and banking, which has become essential for regional integration.

Sub-regional Cooperation

31. We welcomed the substantial progress made in the sub-regional frameworks of cooperation under the Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS), Greater Mekong Sub-region (GMS) programme, and the ASEAN-Mekong Basin Development Cooperation (AMBDC), West-East Corridor, Cambodia, Laos and Viet Nam (CLV) Development Triangle, which makes an important contribution to the process of regional integration. We welcomed the successful outcome of the 2nd GMS Summit held in Kunming on 4-5 June 2005 in China.

32. We welcomed the ACMECS Ministerial Retreat held in Thailand in November 2004 which has contributed to the advancement of the process of sub-regional cooperation in reducing the development gaps, thus making contributions to the process of regional integration. We looked forward to the convening of the ACMECS Foreign Ministers' Meeting in Cambodia in August 2005 and the Second ACMECS Summit to be held in Thailand in November 2005, which would help enhance the regional integration process.

33. We noted the progress in the development of the Roadmap for BIMP-EAGA, which serves to increase trade, tourism and investment. We were encouraged by the development in strengthening partnerships with Dialogue Partners. The Northern Territory of Australia has been elevated from observer to "plus One Development Partner", China has expressed its intention to become an observer and Japan has conducted the first mission to BIMP-EAGA by visiting Malaysia last year. We welcomed Republic of Korea's announcement to conduct its mission this year.

ASEAN SOCIO-CULTURAL COMMUNITY (ASCC)

34. We were gratified with the adoption of the ASCC Plan of Action by the ASEAN Leaders at the 10th ASEAN Summit. The implementation of the Plan will contribute to the establishment of a caring society, the management of the social impact of economic integration, the enhancement of environmental sustainability and the strengthening of the foundations of regional social cohesion. We therefore called for effective implementation of the programmes and the specific measures under the Plan.

Sectoral Cooperation

Disaster Management

35. We signed on 26 July 2005 the ASEAN Agreement on Disaster Management and Emergency Response, which will provide effective regional mechanisms to mitigate the impacts of natural and human-induced disaster and serve as a joint response to disaster emergencies through concerted national efforts and intensified regional cooperation. We further acknowledged the importance of this agreement to strengthen international efforts towards developing a world-wide early-warning system for natural and human-induced disasters through, among other things, a multimodal approach, and taking into consideration the internationally agreed framework on the strategy for disaster reduction. We urged for the early operationalisation of an ASEAN Standby Arrangements for Disaster Relief and Emergency Response, which would work in tandem with other similar arrangements.

36. We reaffirmed our commitment to intensify our cooperation as well as with other countries in the areas of emergency relief, rehabilitation and reconstruction; and prevention and mitigation, as called for at the Special ASEAN Leaders' Meeting on the Aftermath of Earthquake and Tsunami in Jakarta in January 2005. We welcomed the results of the Ministerial Meeting on Regional Operation on Tsunami Early Warning Arrangements held in Phuket and the decision to develop a multi-nodal early warning arrangement for the Indian Ocean and the Pacific, and recognised the readiness of the Asian Disaster Preparedness Centre (ADPC) to serve as a focal point working with other centres in the region, such as the ASEAN Earthquake Information Centre (AEIC), ASEAN Specialised Meteorological Centre (ASMC), the ASEAN Disaster Reduction Centre (ADRC), and the Indian Ocean Global Ocean Observing System (IOGOOS).

Environment

37. We welcomed the agreement on the establishment of the ASEAN Centre for Biodiversity (ACB) based in the Republic of the Philippines. The Centre will build on and continue the efforts of the ASEAN Regional Centre for Biodiversity Conservation Project in terms of promoting biodiversity conservation and sustainable use of the region's rich biological resources.

38. We highly appreciate the close and fruitful cooperation among the Mekong River Commission (MRC) member countries during the past 10 years aimed at promoting sustainable management and development of water and related

resources for the countries' mutual benefit and the people's well-being in this sub-region.

39. We welcomed the establishment of a Basel Convention Regional Centre for training and technology transfer for Southeast Asia based in the Republic of Indonesia. The Centre will promote and facilitate cooperation among states at the regional level in the field of training and technology transfer regarding the environmentally sound management of hazardous wastes and other wastes and the minimisation of their generation.

40. We commended the efforts taken by the ASEAN Member Countries to address land and forest fires and the resulting transboundary haze pollution, particularly the implementation of the ASEAN Agreement on Transboundary Haze Pollution.

41. We welcomed the ASEAN Declaration on Heritage Parks signed by Ministers of Environment of all ten ASEAN Member Countries on December 2003 which will generate greater collaboration between ASEAN Member Countries in the preservation of their common natural heritage.

42. We welcomed the efforts made by the ASEAN Member Countries in nominating 22 cities to participate in the Regional Environmentally Sustainable Cities Programme, and to implement the Framework for Environmentally Sustainable Cities (ESC) in ASEAN, which was adopted in December 2003.

Health

43. We were encouraged by the progress achieved in strengthening efforts to prevent and control emerging and resurging infectious diseases such as the Severe Acute Respiratory Syndrome (SARS) and Avian Influenza, especially in enhancing regional coordination mechanisms for early warning and surveillance capacity-building and the establishment of an ASEAN Task Force on Highly Pathogenic Influenza (HPIA) in December 2004.

44. We commended the work of the ASEAN Task Force on AIDS in following up the recommendations of the 7th ASEAN Summit Declaration on HIV/AIDS and the implementation of the ASEAN Work Programme and its review. We believe that ASEAN should have a voice in global forums such as the World Health Assembly (WHA) and participate in global decision-making regarding allocation of funds for HIV/AIDS prevention and control.

45. We expressed our appreciation to all our partners for their support in helping ASEAN implement its priority activities and encourage others to join hands with us in our efforts to prevent and control emerging infectious diseases, and in the fight against HIV/AIDS.

Poverty

46. We welcomed the initiatives and activities to enhance learning among key stakeholders from the government, civil society and the business community to deal with poverty in a comprehensive and integrated manner, and to share and exchange views on how best to mainstream Millennium Development Goals (MDG) processes into normal development functions of governments, and to establish linkages nationally and regionally for mutual support in achieving poverty reduction initiatives.

Culture and Information

47. We welcomed the results of the other areas of ASEAN functional cooperation, including the adoption of a new tagline for ASEAN – "Ten Nations One Community"-at the Meeting of the ASEAN Ministers Responsible for Information (AMRI) in 2004. A number of activities in the culture and information sectors have been successfully implemented in 2004 to raise ASEAN awareness in as well as outside the Southeast Asia region, such as the 2nd ASEAN Cultural Week held in Viet Nam in August 2004, the biennial ASEAN Quiz held in Brunei Darussalam in September 2004 and the ongoing Media Exchange Programmes with our Dialogue Partners. We also welcomed the Art and Cultural scholarship programme for ASEAN Member Countries sponsored by Indonesia in 2004 and encouraged ASEAN's participation for the next scholarship programme to be held in the second half of 2005. We believe that cultural and information activities have played an essential role in bringing ASEAN closer to the people, and thereby further solidifying the foundation to build an ASEAN Community that is bonded by mutual respect and a sense of "we-feeling".

Drugs

48. We welcomed the role of ASEAN Senior Officials on Drug Matters (ASOD) in combating illicit drug trafficking and its increasing cooperation with Dialogue Partners and other regional/international bodies, such as the ASEAN-China

Cooperative Operations in Response to Dangerous Drugs (ACCORD), ASEAN-EC Sub-committee on Narcotics, ASEAN Inter-Parliamentary Organisation Fact Finding Committee (AIFOCOM) and United Nations Office of Drugs and Crime Prevention (UNODC).

49. We welcomed the recommendations of the 4th AIFOCOM, held in Luang Prabang, Lao PDR, 9-13 March 2005, which among others, urged all ASEAN Member Countries to formulate an ASEAN Extradition Treaty based on the Treaty of Mutual Legal Assistance (MLA) on Criminal Matters and existing bilateral agreements, and to call upon all ASEAN national parliaments to consider harmonising laws on drug abuse in ASEAN Member Countries.

50. We believed that a Drug Free ASEAN 2015 should be pursued by prevention, treatment and community-based control of drug abuse, including the promotion of alternative development and elimination of illicit drug trafficking. ASEAN Member Countries will undertake close coordination and integrated cooperation, including with Dialogue Partners such as China, Japan and the Republic of Korea, the European Union (EU), India, Australia, and the US. Furthermore, ASEAN Member Countries will promote common perception among law enforcement agencies in combating illicit drug trafficking as well as developing public awareness, especially among young people, concerning the risk of illicit drug abuse and trafficking.

Labour

51. We noted with satisfaction the progress made in ASEAN to address timely labour issues relating to labour mobility and human resource development, such as labour mobility of skilled manpower, strengthening social security, skills recognition arrangements, and HIV/AIDS in the workplace.

Youth

52. We recognised the importance of youth employment issues in the development process and welcomed entrepreneurial initiatives with our Dialogue Partners and through World Bank and International Labour Organisation collaborations.

EXTERNAL RELATIONS

53. We noted with satisfaction the important developments and progress being made in pursuing cooperation with our Dialogue Partners and welcomed steps undertaken by both sides to further advance the mutually beneficial cooperation in various fields.

54. We also took note of the overall progress achieved within the framework of ASEAN Plus Three cooperation. We reaffirmed the importance of the ASEAN Plus Three for the realisation of an East Asian community.

55. We commended the ASEAN Plus Three countries for the overall progress attained in the implementation of the 17 short term-measures of the East Asia Study Group (EASG) adopted by the ASEAN Plus Three Leaders, and encouraged more efforts to implement all the short-term measures by 2007. We noted with appreciation the successful implementation of activities to implement the EASG short-term measures, which includes the forming of the East Asia Business Council; the promotion of networking of cultural heritage of the East Asian countries; the promotion of East Asian studies in the region; the convening of the 2nd East Asia Forum; the 2nd Annual Conference of the Network of East Asian Think-Tanks (NEAT); the collaboration with cultural and educational institutions to promote a strong sense of an East Asian identity and consciousness; the development of information technology jointly to build telecommunications infrastructure and to provide greater access to the internet; establishing poverty alleviation programmes; and the promotion of language programmes for ASEAN Plus Three countries. We welcomed the annual conference of Dean/Directors of Diplomatic Training Institutions of ASEAN Plus Three Countries.

56. We encouraged the implementation of the 9 medium and long-term measures of the EASG. In this regard, we noted with satisfaction the ASEAN Leaders' decision to convene the first East Asia Summit (EAS) on 14 December 2005 in Kuala Lumpur. We reaffirmed our commitment made at the AMM Retreat in Cebu, Philippines on 11 April 2005 to keep the EAS open, outward-looking and inclusive with ASEAN being the driving force. In this context, we welcomed the participation of ASEAN, China, Japan, Republic of Korea, Australia, India, and New Zealand to the first EAS. We commended our Senior Officials for their work on the participation and the modalities of the East Asia Summit which is inclusive and ASEAN-driven.

57. We welcomed the establishment of the Experts Group comprising government officials, scholars and researchers to conduct the feasibility study of the establishment of the East Asia free trade area which will be an integral element of the

East Asian community.

58. We noted with satisfaction the broadening and deepening of ASEAN-China cooperation as evidenced by the conclusion of the Plan of Action to Implement ASEAN-China Joint Declaration on Strengthening Strategic Partnership for Peace and Prosperity, the signing of the ASEAN-China Agreement on Trade in Goods, the Agreement on Dispute Settlement, the MOU on Transport Cooperation, the establishment of the ASEAN-China Eminent Persons Group, the organisation of the ASEAN-China Expo in Nanning, the ASEAN-China ICT Week in May 2005 in Beijing, Shanghai and Shenzhen, the ongoing efforts to conclude agreements on trade in services and investment and the MOU on Cultural Cooperation as well as preparation for a two-year implementation plan for the ASEAN-China Plan of Action. We believed that these cooperative activities will further cement ASEAN-China cooperation in the future.

59. We noted the continued efforts to implement the ASEAN-Japan Plan of Action, including in the areas of trade and investments, customs procedures, Small and Medium Enterprises (SMEs), the environment and ICT. We appreciated Japan's active support for the implementation of IAI projects, especially in the area of human resource development, and its support to sub-regional growth areas.

60. We welcome the growing dialogue partnership between ASEAN and the Republic of Korea in the areas of political and security, trade and economic, social and cultural and development cooperation, in particular people-to-people contact in the field of media, youth, culture and the exchange of government officials. We looked forward to the adoption of the Plan of Action to implement the Joint Declaration on Comprehensive Partnership between ASEAN and the Republic of Korea expected to be adopted by the Leaders of ASEAN and the Republic of Korea in December 2005 in Kuala Lumpur.

61. We expressed our appreciation to India for its support in the implementation of the IAI such as the establishment of the Centre for Entrepreneurship Development in the Lao PDR and its agreement to establish similar centres in Cambodia, Myanmar and Viet Nam to bridge the development gap among ASEAN Member Countries. We commended the successful ASEAN-India Car Rally organised during the 10th ASEAN Summit. We noted the progress made thus far in the negotiations to establish an ASEAN-India FTA, which is part of the implementation of the ASEAN-India Framework Agreement on Comprehensive Economic Cooperation signed in Bali in 2003. We looked forward to the early conclusion of these negotiations.

62. We welcomed the conclusion, by ASEAN Leaders and the Leaders of the Republic of Korea, India, Australia and New Zealand, of the Joint Declaration on Comprehensive Cooperation Partnership between the Association of Southeast Asia Nations and the Republic of Korea; the ASEAN-India Partnership for Peace, Progress and Shared Prosperity and the adoption of a Plan of Action to implement the partnership; and the Joint Declaration of the Leaders at the ASEAN-Australia and New Zealand Commemorative Summit, respectively, in November 2004 in Vientiane which will chart the future directions of ASEAN's cooperation with them. We looked forward to their effective implementation to elevate ASEAN's cooperation to a higher plane.

63. We welcomed the progress on the implementation of the Trans-Regional EU-ASEAN Trade Initiative (TREATI) to enhance economic cooperation and assist ASEAN in its integration, and the establishment of the ASEAN-EU Vision Group, comprising senior officials, towards enhancing ASEAN-EU relations. We also welcomed the commencement of the Joint Feasibility Study on ASEAN-EU Economic Cooperation, including a possible FTA. In this connection, we noted with satisfaction that the 15th ASEAN-EU Ministerial Meeting adopted in principle the Regional EU-ASEAN Development Initiative (READI) in Jakarta in March 2005 which was subsequently finalised by ASEAN and EC, therefore, providing a new impetus for ASEAN-EU cooperation.

64. We commended the launching of free trade area negotiations with Japan, the Republic of Korea, the ASEAN and Australia and New Zealand Free Trade Area, which will be implemented within ten years.

65. We welcomed the progress the ASEAN-Canada relations, especially with the convening of the ASEAN-Canada Partnership Symposium that was held in February 2005 in Bandar Seri Begawan and the ASEAN-Canada Dialogue in April 2005 in Vancouver. We appreciate Canada's interest to enhance its cooperation with ASEAN in economic areas with the convening of the ASEAN-Canada Trade and Investment Senior Officials Meeting and the ASEAN Business Forum in Toronto in May 2005. We welcomed Canada's commitment to stay engaged with ASEAN by exploring, amongst others, ways in which ASEAN and Canada can promote development cooperation.

66. We looked forward to the inaugural ASEAN-Russia Summit in December 2005 in Kuala Lumpur. We also commended the progress in the negotiations on the ASEAN-Russia Economic and Development Cooperation Agreement and looked

forward to its early conclusion.

67. We welcomed the growing trade relationship, economic and development cooperation, political and security cooperation, and cooperation in other areas involving transnational crime, transnational issues, and communicable and emerging diseases between ASEAN and the US. We looked forward to the development of a strategic partnership between ASEAN and the US to further enhance this relationship in all aspects.

68. We further expressed our appreciation to the United Nations Development Programme (UNDP) for its continued support to ASEAN's integration through its ASEAN-UNDP Partnership Facility 2004-2006. We look forward to continuing our partnership and cooperation with the UNDP in supporting ASEAN's integration.

69. We looked forward to the 2nd ASEAN-UN Summit in September 2005 in New York. We believe that the Summit will help elevate ASEAN's relations with the United Nations to a new level.

DEVELOPMENTS IN MYANMAR

70. We have been informed by our colleague, Foreign Minister U Nyan Win of Myanmar that the Government of Myanmar had decided to relinquish its turn to be the Chair of ASEAN in 2006 because it would want to focus its attention on the ongoing national reconciliation and democratisation process. Our colleague from Myanmar has explained to us that 2006 will be a critical year and that the Government of Myanmar wants to give its full attention to the process. We would like to express our complete understanding of the decision by the Government of Myanmar. We also express our sincere appreciation to the Government of Myanmar for not allowing its national preoccupation to affect ASEAN's solidarity and cohesiveness. The Government of Myanmar has shown its commitment to the well-being of ASEAN and its goal of advancing the interest of all Member Countries. We agreed that once Myanmar is ready to take its turn to be the ASEAN Chair, it can do so.

REGIONAL AND INTERNATIONAL ISSUES

71. We exchanged views on recent regional and international political and security developments, particularly those that affect regional peace, security and stability. Despite the recent terrorist attacks in United Kingdom and Egypt, we were of the view that the overall global security situation remained relatively stable and was marked by a number of positive developments including greater interactions and exchanges between and among countries. We were also of the view that the stable relationship among the major powers is crucial to the region and called upon them to continue to make their contributions to strengthen peace, stability, cooperation and development in the region, and in the world as a whole.

• Iraq

72. We underscored that the developments in Iraq remain a cause of great concern. We sincerely hoped for a solution in the foreseeable future that would lead to a durable peace, security, stability and national harmony so that the Iraqi people can truly be the master of their own destiny and country. We welcomed the International Conference on Iraq that was held in Brussels on 22 June 2005.

• Middle East

73. We welcomed the positive developments currently taking place in the Middle East and emphasised the need to carry out the implementation of the Roadmap and the relevant UNSC resolutions. We looked forward to the realisation of the vision of two states - Israel and Palestine- living side by side in peace within secure and recognised borders. We also welcomed the Iraqi and Palestinian elections held this year.

• Korean Peninsula

74. We welcomed the recent resumption of the Six-Party Talks and hoped that concerned parties could find solutions acceptable to all sides, towards a nuclear weapon-free Korean Peninsula, on the basis of the principles of mutual respect for sovereignty and equality which will contribute to the maintenance of peace, security and stability in the wider Asia Pacific Region. ASEAN reaffirmed its support to the process and reiterated the potential role of the ARF, as the primary forum for dialogue on peace and security issues in the region, in contributing to the momentum of finding a resolution to the Korean Peninsula issue.

75. We also welcomed the recent resumption of the inter-Korean dialogue. In this regard, we expressed the hope that

the dialogue will continue in accordance with the spirit and letter of the 15 June North-South Declaration. We believe that the thawing of inter-Korean relations will be a major step forward in achieving peace and stability on the Korean Peninsula.

Asian-African Summit 2005 and the Commemoration of the Golden Jubilee of Asian-African Conference 1955

76. We noted with satisfaction the outcomes of the Asian-African Summit held in conjunction with the Commemoration of the Golden Jubilee of the Asian-African Conference (1955-2005) on 21-23 April 2005 in Bandung and Jakarta, Indonesia which revitalised the Bandung spirit of the Asian-African Conference of 1955.

77. We support the commitment of Asian-African countries in working toward the realisation of the New Asian-African Strategic Partnership (NAASP) by implementing concrete actions for the benefit and prosperity of our peoples. We also underlined the prominent and leading role of regional/sub-regional organisations in increasing synergy and cooperation in support of the NAASP. In this regard, we agreed to give a mandate to the ASEAN Secretariat to work with other regional/sub-regional organisations in Asia and Africa on issues of interest to ASEAN in supporting the NAASP.

South Summit

78. We welcomed the outcomes of the Second South Summit held in Doha, Qatar, on 12-16 June 2005 in addressing the challenges confronting the South such as poverty, debt burden, trade protectionism, declining Official Development Assistance (ODA), international migration, weak productive and trade capacities, poor infrastructures and volatile commodity export prices and financial flows.

Asia Cooperation Dialogue (ACD)

79. We welcomed the substantial progress being recorded under the framework of the ACD initiated by Thailand as a forum to harness the combined strength of Asian countries with an aim to increase the capabilities and competitiveness of Asian countries by maximising on cultural diversity and abundant resources. We are encouraged by the successful outcomes of the 4th ACD Ministerial Meeting in Islamabad, Pakistan, and welcomed the Islamabad Declaration. We also noted with satisfaction the progress achieved in various areas, for example, the Asian Bond Market Development, Energy Security, and Agriculture.

Forum for East Asia and Latin America Cooperation (FEALAC)

80. We reiterated our continued support to forge links and cooperation between Asia and Latin America in areas of mutual interest including in the political and security, social and culture and economic fields. We recognised the need to enhance cooperation under FEALAC.

Asia-Europe Meeting (ASEM)

81. We congratulated Viet Nam for successfully hosting the 5th ASEM Summit in October 2004 in Ha Noi. We welcomed the participation of Cambodia, Lao PDR and Myanmar in the recent expansion of ASEM.

82. We also welcomed the convening of the ASEM Interfaith Dialogue in Bali, 21-22 July 2005, as an important effort to promote greater understanding amongst cultures and faiths.

Asia-Pacific Economic Cooperation (APEC)

83. We commended APEC for exerting its utmost efforts to cooperate, promote and liberalise trade and investment in the Asia-Pacific region. We took note of the progress achieved thus far by APEC member economies towards the Bogor Goals and look forward to the roadmap being developed to guide members to reach the goals by 2010 for industrialised economies and by 2020 for developing economies. We expressed appreciation to the member economies for accommodating the participation of non-APEC ASEAN Member Countries in APEC activities.

Asia-Middle East Dialogue (AMED)

84. We welcomed the convening of the inaugural Asia-Middle East Dialogue (AMED) in Singapore on 20-22 June 2005. We noted that the sizeable representation of 40 delegations from Asia and the Middle East reflected the deep interest of both regions in strengthening ties. We recognised that AMED was an important first step towards deeper inter-regional engagement to foster mutual understanding and cooperation.

World Trade Organisation (WTO)

85. We welcomed the agreement by WTO members to hold the Ministerial Meeting in Hong Kong in the end of 2005 and reiterated our support to work constructively with other members of the WTO to ensure the successful outcomes of the Ministerial Meeting that is consistent with the goals of the Doha Declaration while, at the same time, we stressed the need for all WTO members to show flexibility and that development-related issues should be the focus of multilateral trade negotiations.

86. We expressed our support for the early accession of Lao PDR and Viet Nam into the WTO.

Millennium Development Goals (MDG)

87. We recalled that the MDG adopted in 2000 set clear targets for countries to fulfil in close cooperation with the international community. We noted the slow progress made in the implementation of the MDG and of the upcoming review of the MDG in September 2005. We called on all the concerned parties to fulfil commitments adopted by the recent major international conferences and to enhance the effectiveness of aid through better coordination and harmonisation among the aid-providing countries.

88. We welcomed the convening of the Regional Ministerial Meeting on MDGs in Asia and the Pacific: the Way Forward 2015 to be held in Jakarta, on 3-5 August 2005.

United Nations (UN)

89. We attached importance to effective leadership of the United Nations to address the needs and aspirations of all people, particularly those in the developing world. We welcomed that the Asian-African Ministerial Meeting in Jakarta in April 2005 that generally felt that it would be the turn of the Asian region to occupy the post of United Nations Secretary-General (UNSG) which will become vacant upon the expiry of the term of the current UNSG at the end of 2006. In this regard, we reaffirmed our strong support for the ASEAN candidate from Thailand, Dr. Surakiart Sathirathai, for this important post.

90. We also supported Viet Nam's candidature for the presidency of the 33rd UN Food and Agriculture Organisation (FAO).

UN Reform

91. Given its current state of affairs, we recognised the need to reform the United Nations and we agreed that the reforms of the United Nations should be comprehensive in nature and attach greater importance to the reforms of the development-related UN agencies.

Cooperation with Regional Organisations

92. We noted our cooperative relations with the South Asia Association for Regional Cooperation (SAARC) and the Asian-African Sub-Regional Organisations Conference (AASROC) to promote secretariat-to-secretariat level cooperation. We recalled the outcomes of the ASEAN-Gulf Cooperation Council (GCC) and ASEAN-Economic Cooperation Organisation (ECO) Foreign Ministers Meetings in September 2004 in New York where several areas were identified for cooperation between ASEAN, and the GCC and the ECO. We noted that ASEAN is working with the GCC to develop modalities to implement the above identified areas and that the ASEAN Secretariat would be signing a Memorandum of Understanding for cooperation with the ECO Secretariat.

93. We welcomed the signing of the Memorandum of Understanding between the ASEAN Secretariat and the Shanghai Cooperation Organisation (SCO) Secretariat to promote cooperation between the two regional organisations in mutually beneficial areas.

INSTITUTIONAL MATTERS

94. We commended the work of the ASEAN Senior Officials and the ASEAN Directors-General to streamline and rationalise ASEAN meetings and encouraged them to do even better in the years to come. We expressed our appreciation to the ASEAN Secretariat for its important contribution to the process of ASEAN integration and cooperation. We welcomed the establishment of the Jakarta ASEAN Contact Group to facilitate the coordination among Member Countries on ASEAN cooperation.

39th AMM

95. We elected Malaysia as the Chair of the 39th ASEAN Standing Committee and the Philippines as the Vice-Chair. We looked forward to the 39th ASEAN Ministerial Meeting, the ASEAN+3 Foreign Ministers' Meeting, the Post-Ministerial Conferences and the 13th ASEAN Regional Forum to be held on 24-28 July 2006 in Malaysia.

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Association of Southeast Asian Nations, *Report of the ASEAN-China Eminent Persons Group* (29 Oct. 2005)



Report of the
ASEAN - CHINA
Eminent Persons Group

Report of the ASEAN-China Eminent Persons Group

The Association of Southeast Asian Nations (ASEAN) was established on 8 August 1967. The Members of the Association are Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam. The ASEAN Secretariat is based in Jakarta, Indonesia.

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18. At the sectoral level, several mechanisms have been developed over the years, reflecting the expanding and intensifying cooperation. ASEAN-China cooperation now covers political and security; trade, investment and economic; science and technology; ICT; transport; transnational crime; and youth. In addition, the ASEAN-China Business Council helps to promote cooperation between the private/business sectors of the two sides while the ASEAN Beijing Committee, comprising the Ambassadors of ASEAN Member Countries in Beijing, helps to promote ASEAN-China relations on behalf of the ASEAN Standing Committee.
19. In addition, ASEAN and China interact and cooperate at other regional and multilateral fora where ASEAN plays a key role. These include the ASEAN Plus Three Summit, the APEC Economic Leaders Meeting, the Asia-Europe Meeting (ASEM), and the ARF.

3.1.2 Areas of Cooperation

Political and Security

20. China has entered into a number of political declarations and agreements with ASEAN in the area of political and security cooperation in the past four years. These include the Joint Declaration of ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues and the Declaration on the Conduct (DOC) of Parties in the South China Sea, which were concluded at the ASEAN-China Summit in 2002 in Phnom Penh, Cambodia. China was the first Dialogue Partner to accede to the Treaty of Amity and Cooperation in Southeast Asia, doing so at the ASEAN-China Summit in October 2003 in Bali, Indonesia. While the signing of the DOC signalled the desire of both ASEAN and China to promote trust, confidence and cooperation and to agree on a regional code of conduct in the disputed area, the accession by China to the treaty provided further reassurance on the peace and security of the region and that the treaty would eventually become a code for inter-state relations in the region. China has also reiterated its willingness to work with ASEAN for the early signing of the Protocol to the Treaty on Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ).
21. As a follow-up to the DOC, ASEAN and China convened an ASEAN-China Senior Officials Meeting on the Implementation of the DOC on 7 December 2004 in Kuala Lumpur, Malaysia. At the Meeting, the ASEAN-China SOM adopted the Terms of Reference for the ASEAN-China Joint Working Group on the Implementation of the Declaration on the Conduct of Parties in the South

working together, ASEAN and China can make an important contribution to the interests of Asia and developing countries in an increasingly globalised world.

Cooperation with the UN

- The UN continues to be the most important organisation for multilateralism and for meeting the challenges of the millennium. The UN, as the core of the collective security mechanism, plays an irreplaceable role in international cooperation to ensure global peace. It promotes and supports mutually beneficial cooperation to achieve common prosperity and the spirit of inclusiveness to build a harmonious world together. ASEAN and China should make concerted efforts to support and promote the role of the UN and its specialised agencies, and work with them to ensure peace, prosperity and development in the region and the world. Both should work closely with other stakeholders in promoting the UN reform agenda.

Medium-Term and Long-Term Measures

ASEAN-China Commemorative Summit

- ASEAN and China should look at the possibility of convening a Commemorative Summit in China at an appropriate time to profile the strategic partnership and chart the course for the long-term relationship.

Cooperation in Disarmament and Non-Proliferation

- Establishing a nuclear weapons-free zone in Southeast Asia is a key commitment of the ASEAN Member Countries under the Treaty on SEANWFZ. ASEAN is an active proponent of disarmament and non-proliferation. China has announced its support for the establishment of a nuclear weapons-free zone in Southeast Asia and is committed to nuclear non-proliferation. Both sides should work closely together in regional and international fora to promote disarmament and non-proliferation. Seminars and workshops could be convened to better understand each other's positions on these issues.

South China Sea Issue

- The South China Sea disputes need to be resolved even though efforts of ASEAN and China have reduced tensions in the disputed area. In this regard, discussions on United Nations Convention on the Law of the Sea (UNCLOS) and how it applies to the South China Sea could be promoted. In the longer term, ASEAN and China should work towards the conclusion of a code of conduct in the South China Sea, on the basis of consensus, to secure peace and

stability in the disputed area and implement the cooperative measures in the DOC to propel the growth and development of the claimant States and the region in the future.

Resolving Border Issues

- Moving towards resolving bilateral and maritime border disputes between ASEAN Member Countries and China will help to enhance the mutual trust and good neighbourliness between ASEAN and China. This will be clear evidence of the commitment of both sides to the partnership and will accelerate the pace of building a substantive and comprehensive partnership.

Defence Cooperation

- ASEAN and China should institute defence cooperation starting with holding workshops and seminars on security issues of common concern and strengthening bilateral military personnel exchanges and training. ASEAN Member Countries and China could observe each other's military exercises and hold joint military exercises in the non-traditional security field as well as in other areas as outlined in the ASEAN-China Plan of Action.

Economic Cooperation

81. The thrust of economic cooperation between ASEAN and China should be to identify areas of synergy from which both sides can mutually benefit. China's growth presents new opportunities for ASEAN just as closer economic integration within ASEAN will benefit China. ASEAN and China can work together to promote closer economic linkages between their economies in the areas of trade, investment, finance, transport and communications, energy cooperation, tourism, and infrastructural development. The economic opportunities presented by ASEAN's integration and China's rapid development, and the closer linkages being established between ASEAN and China through the strategic partnership will enable both sides to contribute to the Doha Development Agenda. In this regard, we recommend the following measures:

Short-Term Measures

ASEAN-China Free Trade Area

- Both sides should maximise the gains from the ACFTA by promoting and ensuring that the synergies from China's economic growth and ASEAN economic integration are tapped. This

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Association of Southeast Asian Nations, *Chairman's Statement: 9th ASEAN-China Summit* (12 Dec. 2005)



<http://www.asean.org/news/item/external-relations-china-chairman-s-statement-of-the-ninth-asean-china-summit-kuala-lumpur-12-december-2005>

Chairman's Statement of the Ninth ASEAN-China Summit Kuala Lumpur, 12 December 2005

Chairman's Statement of the Ninth ASEAN-China Summit Kuala Lumpur, 12 December 2005

1. The Ninth ASEAN-China Summit was successfully convened on 12 December 2005 chaired by the Honourable Dato' Seri Abdullah Ahmad Badawi, the Prime Minister of Malaysia. The Leaders of ASEAN held a productive meeting with His Excellency Wen Jiabao, Premier of the People's Republic of China.
2. We reviewed the developments in ASEAN-China relations during the past year. We noted that the close ASEAN-China relations have much to offer for regional peace and prosperity. We also noted the satisfactory progress achieved in the implementation of the Plan of Action to Implement the Joint Declaration of the Heads of State/Government of ASEAN and China on Strategic Partnership for Peace and Prosperity.
3. We endorsed five new priority areas of cooperation, namely energy, transport, culture, public health and tourism, in addition to the existing five priority areas of agriculture, information technology, two-way investment, human resources development and Mekong River Basin Development.
4. The ASEAN Leaders welcomed China's initiative to provide another USD 5 billion of preferential loans to support projects invested by Chinese companies in ASEAN Member Countries. In the past 5 years, China has provided nearly USD 3 billion of economic assistance and concessional credit to ASEAN Member Countries. The ASEAN Leaders noted the announcement by China that it would offer USD 10 billion of concessional loans and preferential export buyer's credit to developing countries. We also noted, with appreciation, that about one third of the loan will be provided to the ASEAN Member Countries.
5. We agreed on the need to strengthen cooperation on energy security, particularly on large-scale development of alternative and renewable energy sources, intensifying oil and gas exploration, and promotion of energy conservation and energy efficiency.
6. We agreed to commemorate the 15th Anniversary of ASEAN-China Dialogue Relations next year and call 2006 as the "Year of Friendship and Cooperation between ASEAN and China". In this regard, we endorsed a list of commemorative activities to celebrate the 15th Anniversary of our dialogue relations. We strongly encouraged public participation in the commemorative activities. We agreed to convene the ASEAN-China Commemorative Summit next year to reaffirm our commitment to further enhance the strategic partnership and substantive cooperation.
7. We underscored the value of tourism to our economies and agreed to examine ways to promote tourism such as through mutual visa exemptions and open skies policy. In this regard, we tasked our Ministers and Senior Officials to study the matter.
8. We noted, with appreciation, the Report of the ASEAN-China Eminent Persons Group (ACEPG) on the review of the ASEAN-China dialogue relations in the past 15 years and the short and medium and long-term measures proposed to consolidate the partnership in the next 15 years and beyond. We tasked our Ministers and Senior Officials to study the measures and make appropriate recommendations for the implementation of these measures through the ASEAN-China cooperation framework.
9. We also exchanged views on regional and international political and economic issues of common interest and concern. In this regard, the Leaders of ASEAN commended China's active and important role in promoting the Six-Party Talks on the nuclear issue on the Korean Peninsula. We noted that the Six-Party Talks had significantly contributed to the quest for a peaceful and comprehensive solution to the nuclear issue on the Korean Peninsula.

10. We welcomed the progress made by ASEAN and China towards the full implementation of the Declaration on the Conduct of Parties in the South China Sea (DoC) as we look forward to the eventual conclusion of a regional code of conduct in the South China Sea. We noted that the ASEAN-China Senior Officials' Meeting on the Implementation of the DoC in Kuala Lumpur, Malaysia in December 2004 had established the ASEAN-China Joint Working Group on the Implementation of the DoC (ACJWG). We welcomed the convening of the First ACJWG in August 2005 in Manila, the Philippines and look forward to the convening of the Second ACJWG in Sanya, China in February 2006.
11. We noted with satisfaction the progress of the implementation of the ASEAN-China Joint Declaration in the Field of Non-Traditional Security Issues adopted in 2002. We welcomed the convening of the Informal ASEAN-China Ministerial Meeting on Transnational Crime on 30 November 2005 in Ha Noi, which will contribute to the strengthening of cooperation to fight against terrorism and other transnational crimes. In this light, we agreed to consider establishing linkages between ASEAN and other international organisations including the Shanghai Cooperation Organisation in the global effort against terrorism.
12. We also noted the progress in the ongoing negotiations towards the establishment of an ASEAN-China Free Trade Area (ACFTA). We noted with satisfaction that the Agreement on Trade in Goods under the ASEAN-China FTA has been implemented since July 2005. We urged ASEAN and China to complete their negotiations on services and investment as soon as possible. The ASEAN Leaders urged China to strongly encourage its business sector to invest in ASEAN.
13. We agreed to deepen our cooperation to combat avian influenza and request the Health Ministers of ASEAN and China to convene their first meeting at the soonest and to take necessary actions to prevent and combat the avian influenza, including through the setting up of a regional network of anti-viral drugs stockpile, and other emerging and re-emerging infectious diseases.
14. The Leaders of ASEAN congratulated China for the successful holding of the second China-ASEAN EXPO and the second ASEAN-China Business and Investment Summit in Nanning in October 2005 which have facilitated contacts among the business sectors and promoted trade and investment between ASEAN and China.
15. We noted the ASEAN-China ICT Week held in May 2005 in China. We noted that the digital gap remained wide and that a possible mean to narrow this gap was through making available of low cost personal computers. We welcomed the proposal to establish a China-ASEAN information superhighway. The ASEAN Leaders also welcomed China's offer to host a technology exhibition next year and to conduct an exhibition tour of applied scientific technologies in ASEAN Member Countries.
16. We welcomed the adoption of the Action Plan to Formulate a Technology Platform for Earthquake-Generated Tsunami Warning System at the China-ASEAN Workshop on Earthquake-Generated Tsunami Warning in January 2005 in Beijing.
17. We also welcomed the establishment of the Centre for ASEAN and China Studies (CACs) in Ha Noi, Viet Nam, which will promote the exchange of ideas, and research and studies among the academics and think-tanks in ASEAN and China. The Leaders of ASEAN appreciated China's support for the implementation of the Vientiane Action Programme (VAP) and welcomed China's consideration to contribute to the ASEAN Development Fund (ADF).
18. The Leaders of ASEAN welcomed China's intention to become the development partner of the Brunei Darussalam-Indonesia-Malaysia-Philippines-East ASEAN Growth Area (BIMP-EAGA) and also commended China's support to ASEAN's integration efforts through various development initiatives and schemes such as the Initiative for ASEAN Integration (IAI), ASEAN-Mekong Basin Development Cooperation (AMBDC), Greater Mekong Sub-Region (GMS) and Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS).
19. We supported Asia's candidacy for the position of the United Nations Secretary-General (UNSG). In this regard, China expressed understanding to ASEAN's candidate from Thailand, which is a positive contribution in ensuring Asia has a strong and a well qualified candidate for this important position.
20. We welcomed the convening of the First East Asia Summit (EAS) on 14 December 2005 in Kuala Lumpur, Malaysia. We shared the views that the EAS will be convened annually and that the EAS will play a significant role in this region to promote strategic dialogue and cooperation among the participating countries.

Annex 152

Association of Southeast Asian Nations, *Joint Communiqué: 39th ASEAN Ministerial Meeting* (25 July 2006)

Joint Communique of the 39th ASEAN Ministerial Meeting (AMM) Kuala Lumpur, 25 July 2006

FORGING A UNITED, RESILIENT AND INTEGRATED ASEAN INTRODUCTION

1. We, the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN), met at the 39th ASEAN Ministerial Meeting on 24-25 July 2006 in Kuala Lumpur. His Excellency Dato' Seri Syed Hamid Albar, Minister of Foreign Affairs of Malaysia and Chairman of the 39th ASEAN Standing Committee, chaired the Meeting.

2. His Excellency Sir Moi Avei, Minister for Petroleum and Energy of Papua New Guinea, and His Excellency José Luis Guterres, Minister of Foreign Affairs and Cooperation of Timor Leste, attended the Opening Ceremony of the 39th ASEAN Ministerial Meeting as a Special Observer in ASEAN and a Guest of the Chairman of the 39th ASEAN Standing Committee, respectively.

OPENING ADDRESS

3. The Honourable Dato' Seri Abdullah Ahmad Badawi, Prime Minister of Malaysia, delivered an Opening Address at the Opening Ceremony of the 39th ASEAN Ministerial Meeting. The Honourable Prime Minister of Malaysia emphasized the need for ASEAN to be steadfast in keeping its solidarity and to remain focused on achieving its common mission of fostering greater regional integration. ASEAN should adopt the approach of proceeding step-by-step, instrument-by-instrument, institution-by-institution in its community building efforts. This is the only way to ensure that ASEAN achieves true consensus on establishing a set of common values, perceptions and outlook.

4. On the building of the ASEAN Community, he underlined three overarching principles, whereby there should be a universal acceptance that community interests would prevail over national interests on issues affecting the community and that ASEAN has to do better in giving national effect to wider international treaties and conventions, including ASEAN treaties and agreements by putting in place capacities for enforcing community decisions. In addition, Member Countries must adhere to a common set of community values, though universal in nature, but are distinctly ASEAN in character. Topping the list of values must be acceptance of good governance in our respective countries and societies.

5. He looked forward to receiving the report of the Eminent Persons Group on the ASEAN Charter which would be a major leap forward in ASEAN's work of placing the building blocks for the ASEAN Community.

6. The Honourable Prime Minister also highlighted the latest developments in the Middle East which was gravely threatening international peace and security. Being responsible members of the international community, ASEAN countries should not appear indifferent to the plight of the Palestinians. He stated that we should condemn Israel's latest use of disproportionate force in Gaza and in the West Bank. We should not tolerate Israel's excessive military reprisals against Lebanon. ASEAN must make its voices heard, loudly and clearly and that ASEAN should not continue tolerating the subjugation and repression of the Palestinian people by Israel.

THE ASEAN COMMUNITY

7. We were pleased with the progress made in moving towards the realization of the ASEAN Community by the year 2020, through the implementation of the Vientiane Action Programme (VAP), and based on the three pillars, namely the ASEAN Security Community (ASC), ASEAN Economic Community (AEC) and ASEAN Socio-Cultural Community (ASCC), as enshrined in the Bali Concord II. We agreed that it was important for ASEAN to strengthen our integration efforts for all three pillars of the ASEAN community. As a follow-up to our Leaders' discussions at the 11th ASEAN Summit in Kuala Lumpur, we exchanged views on how to bring forward the realisation of the ASEAN Community from 2020 to 2015 and the possible ways of achieving this objective. We reiterated the importance of maintaining ASEAN centrality in the context of ASEAN related regional architectures to support the attainment of the objectives of the establishment of the ASEAN Community.

8. We welcomed the ongoing historic mission of the Eminent Persons Group on the ASEAN Charter to propose bold and visionary ideas for the future direction of ASEAN and provide practical recommendations on the nature of the ASEAN Charter, as mandated by the Kuala Lumpur Declaration on the Establishment of the ASEAN Charter, which was signed by our Leaders at the 11th ASEAN Summit in Kuala Lumpur, Malaysia on 12 December 2005.

9. We commended the EPG for its consultative and inclusive approach in engaging all pertinent stakeholders in ASEAN, including meetings with representatives of ASEAN Inter-Parliamentary Organisation (AIPO), Working Group for an ASEAN Human Rights Mechanism, ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS), civil society organisations, ASEAN Chambers of Commerce and Industry (ASEAN-CCI) and the private sector. We reiterated our support for the EPG to continue to "think out of the box" and explore all bold and visionary ideas for the strengthening of ASEAN and its institutional framework. We are confident that the EPG's report and recommendations, which would be presented for consideration by our Leaders at the 12th ASEAN Summit in Cebu, the Philippines, would enable the Leaders to decide on the drafting of the Charter. The EPG report represents a significant contribution to the building of the ASEAN Community that is more people-centred and resilient to challenges. In this context, we agreed to establish the High Level Task Force to carry out the drafting of the ASEAN Charter after the 12th ASEAN Summit, based on the Kuala Lumpur Declaration on the Establishment of the ASEAN Charter.

10. We underlined the need to enhance the effectiveness and efficiency of ASEAN for improved coordination in its endeavours to achieve the goals and objectives of the ASEAN Community.

Vientiane Action Programme (VAP)

11. In ensuring the expeditious implementation of the VAP, we reiterated that the implementation of the three pillars of the ASEAN Community should be mutually reinforcing. We agreed to undertake greater efforts to enhance the coordination mechanism in its implementation to help us realise the goals of the ASEAN Community. We also agreed that Member Countries should take into account the need to integrate the VAP into their national development plans. In this regard, we welcomed the convening of the 5th ASEAN Senior Officials Meeting on Development Planning (SOMDP) in Kuala Lumpur on 6-7 July 2006, in facilitating the integration of ASEAN's goals, objectives and implementation of the VAP into national development plans of Member Countries. We further agreed that the Plans of Action with the respective Dialogue Partners should be in tangent with the VAP.

12. We welcomed the ASEAN Baseline Report as a crucial instrument in the evaluation of the achievements of the VAP and successor action programmes. In this regard, we reiterated the importance of regular review of the VAP to ensure that all the programmes and activities are responsive to ASEAN needs and priority.

13. We appreciated the contributions by several ASEAN Dialogue Partners to the ASEAN Development Fund (ADF), which serves as a common pool of financial resources for the implementation of the VAP. We called upon other Dialogue Partners, countries as well as international organisations to support and contribute to the ADF.

14. We underscored the importance of narrowing the development gap among ASEAN Member Countries, which is essential for the regional integration of ASEAN. We agreed that in undertaking capacity-building projects, focus should also be given to developing policy environment that is conducive to support trade, investment and infrastructure sectors in the CLMV countries. We expressed our appreciation to our Dialogue Partners, donor countries, institutions and ASEAN Member Countries for their contributions and assistance towards ASEAN integration.

Initiative for ASEAN Integration (IAI)

15. We stressed the need for effective implementation of the recommendations in the Report of the Mid-term Review of the IAI Work Plan, which was adopted by our Leaders at the 11th ASEAN Summit in December 2005 in Kuala Lumpur. The Report has broadened the scope of the IAI to meet the urgent needs of the CLMV countries and to improve the coordination mechanism. We underlined the need to further explore innovative sources of funding to support the efforts, including through private and public initiatives and welcomed Thailand's offer to prepare a paper on this matter.

16. We welcomed the sustained efforts taken by the ASEAN-6 countries and Dialogue Partners to implement the IAI Work Plan (2002-2008) and look forward to their further support and assistance. We believed that there is a need to harmonize the IAI Work Plan projects within the framework of the 7 focus areas and to ensure that the IAI projects support the realization of the 11 priority integration sectors under the AEC.

17. We welcomed Viet Nam's offer to host the Second IAI Development Cooperation Forum (IDCF) Meeting in the first half of 2007 with a view to expediting the implementation of the IAI in bridging the development gap among ASEAN Member Countries.

ASEAN SECURITY COMMUNITY (ASC)

18. We reaffirmed our commitment under the ASC to promote and advance political and security cooperation to a higher plane in our efforts to preserve and further advance ASEAN as a peaceful, stable and developed region, living in peace with one another and with the world at large in a just, democratic and harmonious environment, including through shaping and sharing of regional norms.

19. We welcomed the convening of the Inaugural ASEAN Defence Ministers' Meeting (ADMM), held in Kuala Lumpur on 8-9 May 2006, as an important contribution to the development of the ASC. We noted that the next ADMM will be held in Singapore in 2007. We noted Indonesia's offer to host a Retreat of the

ASEAN Defence Ministers in Bali during the Chairmanship of the Philippines.

20. We noted the outcome of the inaugural consultation between the Chairman of the 39th ASEAN Standing Committee and the President of the 27th ASEAN Inter-Parliamentary Organisation (AIPO) on 13 April 2006 in Kuala Lumpur as provided for under the ASC Plan of Action in the VAP. We agreed that such consultations should be held regularly.

21. We welcomed the proposal to convene the first ASC Plan of Action Coordinating Conference of the ASEAN committees / bodies responsible for the ASEAN Security Community in September 2006 for the purpose of expediting its implementation.

22. We noted the outcome of the Fifth Workshop on an ASEAN Regional Mechanism on Human Rights held on 29-30 June 2006 in Kuala Lumpur and viewed it as an important forum for continuous dialogue on the establishment of a regional human rights mechanism in ASEAN. We also noted the work carried out by the non-governmental Working Group for an ASEAN Human Rights Mechanism, including the meeting between the open-ended ASEAN SOM Troika and the Working Group at the sidelines of the 39th AMM with the objective to facilitate the implementation of the activities under the promotion of human rights component of the VAP. We further noted that the National Human Rights Commissions of Indonesia, Malaysia, the Philippines and Thailand are prepared to collaborate with the Working Group and other civil society organisations, with the view to facilitating the establishment of an ASEAN Human Rights Mechanism.

23. In accordance with the Plan of Action to implement the ASEAN Security Community, the Ministers also agreed to begin discussions on the elaboration of an ASEAN Instrument on the Protection and Promotion of the Rights of Migrant Workers.

Treaty of Amity and Cooperation in Southeast Asia

24. We reaffirmed the importance of the Treaty of Amity and Cooperation in Southeast Asia (TAC) as an instrument of peace, security and cooperation in inter-state relations. We were gratified that a growing number of countries outside ASEAN have either acceded or expressed their interest to accede to the TAC. We regarded this as further testimony of the continued relevance of the TAC in contributing to regional peace, security and stability. In this context, we welcomed the accession of Australia on 10 December 2005 at the margins of the 11th ASEAN Summit.

25. We welcomed the decision by France to accede to the TAC. However, we noted that France was not able to accede to the Treaty during the 39th AMM/PMC/13th ARF in Kuala Lumpur due to the situation in the Middle East. We expressed the hope that France would be able to accede to the TAC soon.

26. We also reiterated our call to other Dialogue Partners and countries to accede to the TAC in the near future so as to create a favourable environment conducive for development in the region which will be beneficial not only to ASEAN but all its partners and friends as well.

South China Sea

27. We noted the convening of the Second ASEAN-China Senior Officials' Meeting on the Implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC) held in Siem Reap, Cambodia in May 2006 and the convening of the First and Second Meetings of the ASEAN-China Joint Working Group on the Implementation of the DOC which were held in Manila, Philippines and Sanya City, China in August 2005 and February 2006 respectively, as a concrete step towards the full implementation of the DOC. We hoped that with the effective implementation of the DOC, ASEAN and China would move towards the early adoption of a Code of Conduct for the South China Sea.

28. We encouraged all parties concerned to continue the exercise of self-restraint and undertake confidence-building measures that would contribute to the maintenance of peace and stability in the region. In this connection, we took note of the cooperative activities already forged by some concerned parties, which yielded positive results through negotiation and dialogue, in the spirit of mutually beneficial cooperation. We also reaffirmed our commitment to resolve the dispute in the South China Sea through peaceful means in accordance with international conventions including the United Nations Convention on the Law of the Sea.

Transnational Crimes and Counter Terrorism

29. We reiterated our strong condemnation against terrorism in all its forms and manifestations and emphasised the need to address the root causes of terrorism. We reaffirmed our commitment to prevent, suppress and eliminate international terrorism in accordance with the Charter of the United Nations and international law.

30. We underscored the significant role of the ASEAN Ministers Meeting on Transnational Crime (AM-MTC) in combating transnational crimes and called on the AMMTC to heighten cooperation in these areas including other relevant ASEAN bodies and ASEAN Dialogue Partners. In this regard, we also look forward to the convening of the 6th AMMTC in Brunei Darussalam in 2007.

31. We noted the successful conclusion of the Treaty on Mutual Legal Assistance in Criminal Matters (MLAT) by all ASEAN Member Countries, which would improve the effectiveness of cooperation in combating transnational crime and terrorism through mutual legal assistance in criminal matters, and expressed hope that the Treaty would be ratified by all ASEAN Member Countries. We also recalled the proposal to work towards the immediate establishment of an ASEAN extradition treaty as envisaged by the 1976 Declaration of ASEAN Concord as stipulated in the VAP, and the consequent decision by the 6th ASEAN Law Ministers Meeting (ALMM) that ASLOM would examine modalities for a model ASEAN extradition treaty.

32. We welcomed efforts to enhance the capacity of the ASEAN Member Countries in counter-terrorism including through the elaboration of an ASEAN Convention on Counter Terrorism as provided for under the VAP, and the consequent decision of the 6th SOMTC in Bali in 2006 to create a joint experts working group (EWG), comprising representatives from SOM, SOMTC and ASLOM, to work out the terms of reference and guiding principles of an ASEAN Convention on Counter Terrorism.

33. We also noted the need to pursue cooperation to prevent and combat corruption as mandated by the VAP and look forward to the convening of the ad-hoc working group meeting prior to the 7th SOMTC in Lao

PDR in 2007 to further follow-up on this initiative.

34. We called for continued close cooperation between security-related bodies, such as Interpol, ASEA-NAPOL and the relevant national authorities, particularly relating to intelligence information sharing on terrorism. We also called upon all Member Countries to strengthen the existing technical cooperation for the development of capacity and capability of counter terrorism-related agencies and officials. In this connection, we further called for continued cooperation between the regional centres, in particular, the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT) in Kuala Lumpur, the International Law Enforcement Academy (ILEA) in Bangkok and the Jakarta Centre for Law Enforcement Cooperation (JCLEC) in Semarang.

Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ)

35. We reaffirmed the importance of vigorous efforts to further strengthen cooperation in supporting the implementation of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ). We urged the nuclear weapons States to become parties to the Protocol of the SEANWFZ Treaty as soon as possible.

36. We recalled Article 20 of the SEANWFZ Treaty of 15 December 1995, which states that “Ten years after this Treaty enters into force, a meeting of the Commission shall be convened for the purpose of reviewing the operation of the Treaty”. We directed the Executive Committee of the SEANWFZ to look into the implementation of Article 20.

ASEAN Regional Forum (ARF)

37. We reaffirmed the roles of ASEAN as the primary driving force of the ARF process and the ARF as the primary forum in enhancing political and security dialogue and cooperation in the wider Asia-Pacific region as well as the pivot for building peace and security in the region. We welcomed Bangladesh’s participation at the 13th ARF on 28 July 2006 as the 26th participating country in the ARF, which would contribute to further enhance political and security dialogue and cooperation in the region.

38. We commended the important progress made in the implementation of the ARF activities, which had to a great extent contributed to political stability, security, and cooperation in the Asia-Pacific region. We recognized the need to forge concrete cooperation among ARF countries in building capacity and capabilities in order to better cope with numerous challenges. While emphasizing that confidence building would continue to play a vital role in the ARF process, we welcomed the ARF’s progress towards Preventive Diplomacy (PD) and look forward to the development of concrete measures in PD at a pace comfortable to all. We noted with satisfaction the progress made in the implementation of the agreed ARF activities for the Inter-Sessional year 2005-2006.

ASEAN ECONOMIC COMMUNITY (AEC)

39. We welcomed the convening of the 38th ASEAN Economic Ministers Meeting on 21-25 August 2006 in Kuala Lumpur and noted the outcome of the 12th ASEAN Economic Ministers Retreat on 15 May 2006 in Manila. We expressed satisfaction with the substantial progress made towards the realization of the AEC.

We noted the efforts made in relation to deepening the economic integration of ASEAN, which will provide the necessary impetus to sustain and boost economic growth in the region and that internal economic integration of ASEAN must be accelerated for ASEAN to maximise gains from its economic engagement with major trading partners.

40. We welcomed the efforts in implementing various measures to integrate the 11 priority sectors to realize the AEC. We were pleased with the inclusion of logistics as the 12th priority integration sector and noted the on-going discussions to identify new measures and sectors as well as evaluate existing measures for Phase 2 of the integration process.

41. We also welcomed the initiative taken by the Economic Ministers to identify and eliminate restrictive practices and non-tariff barriers to allow for unrestricted flow in trade in goods, services and investment to realise the AEC. These include initiatives taken to further establish Mutual Recognition Arrangements (MRAs) and the Plan of Action for the realization of the ASEAN Single Window (ASW), which allows for a single channel clearance of goods for the ASEAN Member Countries, by 2008 for ASEAN-6 and no later than 2012 for other Member Countries.

42. We attached great importance on the strengthening of economic linkages with ASEAN Dialogue Partners which aims at enhancing ASEAN's position as a competitive base for international production and foreign direct investment. In this context and in pursuant to the signing of the ASEAN-ROK Framework Agreement on Comprehensive Economic Cooperation at the 9th ASEAN-Republic of Korea Summit in Kuala Lumpur on 13 December 2005, we noted that the Trade in Goods Agreement between ASEAN and ROK would be implemented by no later than 1 January 2007. We noted the status of the on-going negotiations on FTAs with Dialogue Partners and expressed hope that the FTAs would be concluded in a timely manner to the mutual satisfaction of all parties.

43. We supported the initiative taken to further broaden and enhance economic relations with the European Union and the United States of America. In this respect, we noted the recommendations made in the Report of the ASEAN-EU Vision Group on Enhanced Partnership on the establishment of an ASEAN-EU FTA to foster and diversify trans-regional trade and investment flows and to deepen economic integration between the two regions in a sustainable manner. We were pleased to note that ASEAN and EU would undertake domestic consultations before any decision could be made to launch an FTA. The initiatives in pursuing these engagements are consistent with the principle of open regionalism that ASEAN has always advocated.

44. We were pleased with the new initiatives and progress in ASEAN Finance Cooperation particularly in the progress of the Roadmap for Financial and Monetary Integration of ASEAN (Ria-fin). Notable progress was made in relation to capital market development as well as the Fourth Round Negotiations on Liberalisation of Financial Services (AFAS), under a new positive list modality, which is expected to be concluded by the end of 2007. We also welcomed the efforts to promote ASEAN as an asset class.

45. We noted the projected economic growth of ASEAN at 5.8 per cent in 2006 as compared to the 5.5 per cent growth in 2005.

Energy Cooperation

46. We recognized the adverse impact of rising international oil prices on the economy of Member Countries and hence underscored the importance of finding ways to enhance energy efficiency and increase the share of renewable energy sources in power generation and energy consumption. We called for greater regional cooperation in sharing experience, knowledge and expertise to help promote energy efficiency and development of new and renewable energy sources in the region. In this respect, we commended the efforts by the ASEAN Ministers of Energy and the ASEAN Senior Energy Officials in expediting the conclusion of the Memorandum of Understanding (MoU) on the ASEAN Power Grid and the ASEAN Petroleum Security Agreement (APSA) 2005, as well as the progressive implementation of the Memorandum of Understanding (MoU) on the Trans-ASEAN Gas Pipeline (TAGP).

Sub-regional Cooperation

47. We were pleased with the substantial progress made in the implementation of the initiatives and programmes under various sub-regional arrangements. In this regard, we recalled the successful convening of the 2nd Summit of the Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS) held in Thailand on 1-3 November 2005. We also recalled the successful convening of the Second Brunei-Indonesia-Malaysia-Philippine East ASEAN Growth Area (BIMP-EAGA) Summit, the First Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT) Summit, the Second Cambodia-Laos-Myanmar-Viet Nam (CLMV) Summit and the Second Cambodia-Laos-Vietnam Growth Triangle (CLV-GT) Summit on 11 December 2005 in Kuala Lumpur, Malaysia. We reaffirmed the importance that ASEAN attaches to the various sub-regional cooperation frameworks in enhancing the efforts of narrowing the development gap among all Member Countries as well as accelerating the integration of ASEAN.

ASEAN SOCIO-CULTURAL COMMUNITY (ASCC)

48. We were encouraged by the progress of the ASCC Plan of Action that was adopted by the ASEAN Leaders at the 10th ASEAN Summit in Vientiane, Lao PDR. We expressed our hope and desire to see greater engagement and participation of the ASEAN people in ASEAN activities. In this regard, we expressed our commitment to pursue the programmes and activities under the ASCC, with the objective of bringing ASEAN to the people of ASEAN, and took note of the adoption of the theme of the 39th ASEAN Day, "ASEAN and the Young People". We were pleased to see the plan by the ASEAN Secretariat to convene a coordinating conference of ASEAN bodies relevant to the ASCC Plan of Action in the second half of 2006.

49. We commended the holding of the Civil Society Conference at the sidelines of the 11th ASEAN Summit on 7-9 December 2005 in Kuala Lumpur. The involvement of civil society is a vital component of developing a people-centred ASEAN Community. In this regard, we were pleased to note that the Philippines will continue the engagement with civil society groups during its chairmanship on the regional level. An opportunity for the civil society representatives to report to the Leaders will be arranged during the 12th ASEAN Summit.

50. We supported the continued efforts by the ASEAN Foundation in generating public awareness of ASEAN and fostering a sense of belonging to ASEAN among its peoples through its various activities. We noted the Report of the Executive Director of the ASEAN Foundation on the Foundation's activities. We encouraged other countries and regional and international organizations as well as the private sector from ASEAN Member Countries to cooperate closely with the ASEAN Foundation and assist it to carry out its activities aimed at realizing its goals and objectives.

Sectoral Cooperation

Consular and Immigration

51. We welcomed the signing of the ASEAN Framework Agreement on Visa Exemption in Kuala Lumpur on 25 July 2006. We agreed that this Framework Agreement would facilitate travel for ASEAN nationals within ASEAN.

Environment

52. We recalled the concerns expressed by our Leaders at the 11th ASEAN Summit held in Kuala Lumpur on 12 December 2005, on the issue of transboundary haze pollution resulting from land and forest fires that affects some of the Member Countries annually. We reiterated our commitment to further intensify and undertake coordinated action by our relevant Ministries and agencies at the national and regional levels, to deal collectively with the transboundary haze pollution, guided by the ASEAN Agreement on Transboundary Haze Pollution. In this regard, we noted the on-going process of ratification by Member Countries which have yet to ratify the Agreement and expected this to be finalised soon in order to ensure effective regional cooperation in this area.

53. We commended the initiative to commemorate 2006 as the ASEAN Environment Year with the theme: “Biodiversity: Our Life, Our Future”, which was launched in Bogor, Indonesia on 18 May 2006. We urged all Member Countries and our collaborating partners to showcase ASEAN’s efforts, and promote awareness and ownership, in promoting environmental protection, in particular sustainable management of our rich and diverse biological diversity. In this respect, we welcomed the establishment of the ASEAN Centre for Biodiversity based in Los Banos, the Philippines, which was launched on 27 September 2005 to further promote collaboration on biodiversity. We expressed our appreciation to the EU for providing financial support for the first three years of operation of the Centre, and called upon Member Countries and our collaborating partners to continue to lend support to the activities of the Centre.

54. We reaffirmed the importance of the Heart of Borneo initiative, as stated in the Chairman’s Statement of the 11th ASEAN Summit, as a collective effort to promote sustainable forest management.

55. We reiterated the importance of concrete implementation of UNFCCC and Kyoto Protocol and called for further concrete implementation and commitment to pursue efforts for parties, particularly those in Annex 1 of the Convention and its Kyoto Protocol to address climate change. Therefore, we urged the Annex I Parties to increase their commitment in implementing the Clean Development Mechanism (CDM) activities particularly in the ASEAN region.

56. We expressed our deepest condolences to the Governments and the peoples of the Republic of the Philippines and the Republic of Indonesia over the tremendous loss of lives and property as a result of the mudslide disaster which struck Guinsaugon St. Bernard, Southern Leyte, Philippines on 17 February 2006; the earthquake which struck Yogyakarta and Central Java, Indonesia, on 27 May 2006; and the tsunami which struck Western and Central Java, Indonesia, on 17 July 2006 respectively. We expressed our appreciation for the expeditious relief efforts of ASEAN Member Countries, friendly countries, international organisations and other relief organisations and called upon them to continue to provide their support for rehabilitation and reconstruction activities to enable speedy recovery of those affected.

57. We recalled the ASEAN Agreement on Disaster Management and Emergency Response (AADMER), which was signed on 26 July 2005 in Vientiane, Lao PDR. We welcomed the ratification of the Agreement by Member Countries and further called upon Member Countries that have yet to ratify the Agreement to do so in order to ensure effective regional cooperation in this area. In this regard, we noted the offer by Indonesia to host the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre).

58. We emphasized the importance of developing effective multi-nodal and multi-hazard early warning systems to save lives and minimise damages. We recognized the existing efforts such as the establishment of the UNESCAP Multi-Donor Voluntary Trust Fund for Tsunami Early Warning Arrangements in the Indian Ocean and Southeast Asia, with Thailand and Sweden contributed a total of US\$12.5 million. In this regard, we encouraged the contribution and utilisation of the fund to enhance the capacity of the early warning systems. In addition, those efforts to strengthen disaster preparedness of local communities should be promoted.

59. We reaffirmed our commitment to strengthen ASEAN standby arrangements for disaster relief and emergency response and to enhance linkages with other regional and global standby arrangements through the sharing of earmarked assets, joint exercises in search and rescue and expediting the establishment of common guidelines and standard operating procedures as well as regional disaster early warning and monitoring capacities through real time information sharing in order to ensure rapid responses to emergencies.

Health

60. We recalled our Leaders' decision at the 11th ASEAN Summit to strengthen regional institutional linkages and partnership among all stakeholders in ASEAN Member Countries to control and eradicate the spread of Highly Pathogenic Avian Influenza (HPAI) in the region. In this regard, we expressed our deep concern over the negative effects of the avian influenza on economy and society and called for greater cooperation among Member Countries and others, through information exchange and best practices, to prevent and control the spread of the disease. We noted the progress in stockpiling vaccines and antiviral drugs to meet the immediate needs of affected countries and underlined the importance to prepare for containment when human cases occur; and meet pandemic preparedness needs.

61. We commended the work of the ASEAN HPAI Taskforce and the ASEAN+3 Emerging Infectious Dis-

eases (EID) Programme to conduct and coordinate effective and comprehensive plans to combat emerging and re-emerging diseases. We also welcomed endeavours from donor countries and international organizations to help keep ASEAN free from emerging diseases. In particular, we appreciated the funding support of Japan and the Asian Development Bank (ADB) to assist ASEAN in combating the avian influenza in the region.

62. We commended the efforts made by the ASEAN Health Ministers to ensure regional cooperation and unity in health emergencies, and in providing the necessary guidance for development of an operation plan for the Third ASEAN Work Programme on HIV and AIDS (2006-2010). We welcomed their preparations to convene a Second Special Session on HIV and AIDS for ASEAN Leaders in December 2006 alongside the 12th ASEAN Summit. We also underlined the need for a higher profile of ASEAN cooperation on the issue to be highlighted to the international community, such as through the convening of ASEAN panels at the International Conferences on AIDS in Asia and the Pacific (ICAAP) since 2001. We noted that ASEAN's commitment to address the issue together with like-minded partners has also resulted in a cooperation agreement with the Joint United Nations Programme on HIV/AIDS (UNAIDS).

Education

63. We welcomed the convening of the First ASEAN Education Ministers Meeting (ASEM) held in Singapore on 21 March 2006 and its Joint Statement. As education is an important tool in engendering the ASEAN identity and promoting the development of the ASEAN Socio-Cultural Community, we welcomed the initiative by ASEM to lay a strategic framework for education collaboration in the region which among others, highlighted the importance of education, particularly in primary and basic education, in developing a regional identity. This is relevant to the emphasis placed by ASEAN Leaders to establish an ASEAN Community imbued with a sense of awareness and belonging.

Culture and Information

64. We reaffirmed our support to the ASEAN Committee on Culture and Information (COCI) to continue undertaking activities that promote mutual understanding and solidarity among Member Countries through people-to-people exchanges, cultural performances and exhibitions, information exchange, skills development, and the promotion of awareness and appreciation of customs and traditions among the younger generation. We recognised that these activities have played a vital role in the efforts towards building an ASEAN Community. In this respect, we were pleased that the people-centred agenda advocated by the 39th ASC Chair has contributed to the awareness of ASEAN, mutual respect and cooperation amongst ASEAN and its peoples. We commended the efforts of the COCI in forging friendship with the international community as part of its effort to promote ASEAN through arts and culture.

Labour

65. We were pleased with the expansion of ASEAN Labour cooperation through the ASEAN Labour Minis-

ters' Work Programme. We welcomed the addition of a new priority area on occupational safety and health (OSH) under the Labour Ministers' Work Programme at the 19th ASEAN Labour Ministers Meeting on 5 May 2006 in Singapore and the continued progress of the ASEAN Occupational Safety and Health Network (ASEAN-OSHNET). We look forward to the continued contribution of the Labour Ministers to a sustained economic growth in ASEAN through their Policy Dialogue on National OSH Framework and Management Systems, and the discussions on progressive labour practices to enhance competitiveness of ASEAN.

Women

66. We welcomed the operationalisation of the Declaration on the Elimination of Violence Against Women in ASEAN, which we had signed at our 37th Meeting in 2004. We congratulated the ASEAN Committee on Women (ACW) for their efforts in developing an operational work plan with focused activities to ensure that ASEAN's women are protected and empowered and in reducing women's vulnerability to exploitation and paving the way for their continued advancement. We also welcomed the partnership forged with the United Nations Development Fund for Women (UNIFEM) in support of the ACW's work.

Youth

67. We reiterated the need to involve ASEAN youth in our various mainstream and sectoral programmes and activities as part of the regional effort to empower and shape our youth into useful citizens with strong national and regional identity, features that are essential as we strive towards realising the ASEAN Community. We welcomed the initiative taken to establish a youth development fund in ASEAN, to address the VAP's call for increased participation of youth in the productive workforce, and encourage their entrepreneurship and employability, leadership and regional awareness. We further called upon the different ASEAN sectoral bodies to link their respective efforts in addressing priorities for the youth.

Science and Technology

68. We reaffirmed that human resource and technology developments have played a vital role in sustaining economic growth and enhancing community well-being in ASEAN. We welcomed the initiative of the 11th ASEAN Ministerial Meeting on Science and Technology (S&T) held on 11-12 August 2005 in Jakarta to focus the regional science and technology cooperation on human resource and development and research in emerging fields and enabling technologies such as renewable and alternative energy, development of information technology application particularly on open source systems, biotechnology and food science, materials science and nanotechnology and disaster management. In this regard, we look forward to the convening of the 4th Informal ASEAN Ministerial Meeting on Science and Technology on 28-29 August 2006 in Kuala Lumpur.

69. We welcomed the continued efforts by ASEAN Member Countries to implement new activities under the ASEAN-help-ASEAN Programme to promote S&T development in ASEAN. We were pleased to note that since its launching by the ASEAN S&T Ministers in 2002, joint activities implemented under the Pro-

gramme have benefited ASEAN Member Countries and also contributed in narrowing the development gap.

EXTERNAL RELATIONS

70. We expressed satisfaction with the progress achieved in ASEAN's relations with the Dialogue Partners, namely, Australia, Canada, China, the European Union, India, Japan, New Zealand, the Republic of Korea, the Russian Federation, the United States of America, the United Nations Development Programme and the increasing interest of Sectoral Dialogue Partner Pakistan to engage more with ASEAN. We also expressed our commitment to intensify cooperation in various fields with ASEAN Dialogue Partners for the mutual benefit of our peoples and region. We further expressed our appreciation to our Dialogue Partners for their continued support in ASEAN's efforts towards establishing the ASEAN Community by 2020.

71. In this regard, we look forward to the signing of the Framework Document for the Plan of Action to Implement the ASEAN-US Enhanced Partnership on 27 July 2006. We also look forward to the signing of the ASEAN-Canada Joint Declaration for Cooperation to Combat International Terrorism on 28 July 2006 in Kuala Lumpur and the implementation of the activities identified therein.

72. On ASEAN-Russia relations, we are pleased to note the successful convening of the First ASEAN-Russian Federation Summit held in Kuala Lumpur on 13 December 2005, and the endorsement of the ASEAN-Russia Joint Declaration on Progressive and Comprehensive Partnership.

73. We believed that these developments will contribute to further enhance ASEAN-Russia relations. We also noted that 2006 is the 10th anniversary of ASEAN-Russia relations, which we are marking with a few commemorative activities, among which are the Russian Food Festival and the publication of the ASEAN-Russia Commemorative Magazine. These two activities will be launched at the sidelines of the 39th ASEAN Ministerial Meeting/Post Ministerial Conferences, in conjunction with the ASEAN PMC+1 session with the Russian Federation on 27 July 2006 in Kuala Lumpur. We further noted that the ASEAN Food Festival will be organised in the Russian Federation later this year.

74. We underscored the need to maintain ASEAN centrality and unity in all dialogue and cooperation processes initiated by ASEAN. In this regard, we reaffirmed the importance of ASEAN acting and be recognised as the driving force in all facets of our relations with our Dialogue Partners and other external parties as well as ASEAN playing a central role in the evolving regional architectures.

75. We welcomed the interest expressed by several non-regional countries and international institutions to extend technical assistance and financial support for the implementation of ASEAN's development agenda. As an outward-looking organization, ASEAN recognised the need to establish other forms of formal relations with other non-regional countries and international institutions to assist its development agenda. In this context, we tasked the ASEAN Directors-General and the ASEAN Secretariat to develop new categories of partnership with non-regional countries and international institutions while maintaining the moratorium on new Dialogue Partnership. We also welcomed the offer of the Philippines to work with the ASEAN Secretariat in identifying ways to strengthen cooperation with the Shanghai Cooperation Organisation (SCO).

76. We renewed our commitment to the ASEAN Plus Three (ASEAN+3) cooperation and reiterated our long-term goal of developing an East Asian community. We agreed that the ASEAN Plus Three process would remain as the main vehicle with ASEAN as the driving force for East Asian community building. Pursuant to the signing of the Kuala Lumpur Declaration on the ASEAN Plus Three Summit in Kuala Lum-

pur on 12 December 2005, we noted that the ASEAN Plus Three Senior Officials and the Directors-General, in their meetings on 18 May 2006 in Karambunai, Sabah and 8 June 2006 in Seoul, ROK, respectively, had had initial discussions in preparation of the drafting of the Second Joint Statement on East Asia Cooperation, and the accompanying Work Plan, to be issued by our Leaders in 2007 to commemorate the 10th anniversary of the ASEAN Plus Three cooperation.

77. We recalled the successful convening of the First East Asia Summit (EAS) in Kuala Lumpur on 14 December 2005 attended by all Leaders of ASEAN Member Countries, Australia, China, India, Japan, Republic of Korea and New Zealand. While emphasising ASEAN as the driving force, we reaffirmed that the EAS, as an open, inclusive, transparent and outward-looking forum, would serve as a platform for dialogue on broad strategic, political and economic issues of common interest to promote peace and economic prosperity in East Asia. We reaffirmed the efforts of the East Asia Summit to promote community building in this region and its integral part of the evolving regional architecture. We viewed this 'Leaders-led' Summit as an important event of historical significance to ASEAN and agreed to cooperate using existing mechanisms to implement the decisions of the Summit and the 17 areas of cooperation mentioned by the Leaders.

78. We recalled the successful holding of the Second ASEAN-UN Summit on 13 September 2005 in New York wherein it was agreed that ASEAN-UN cooperation needs to be further broadened with the involvement of the various UN specialised agencies to encompass all areas related to community building, including key issues related to development, in particular, poverty eradication and the Millennium Development Goals, prevention and control of infectious diseases, disaster management, transnational issues, trade and investment as well as peace and security. We noted that the Summit also agreed to convene future ASEAN-UN Summits on a regular basis. In this context, the Philippines proposed to explore the possibility of having an ASEAN-UN Summit in 2007.

DEVELOPMENTS IN MYANMAR

79. We took note of the briefing by Myanmar on the recent developments in the country and the complex challenges faced by Myanmar in dealing with the process of national reconciliation and peaceful transition to democracy as contained in the Roadmap. We expressed concern on the pace of the national reconciliation process and hope to see tangible progress that would lead to peaceful transition to democracy in the near future. We reiterated our calls for the early release of those placed under detention and for effective dialogue with all parties concerned. We expressed our support for the constructive role taken by the Chairman of the 39th ASEAN Standing Committee and further discussed the outcome of his visit to Myanmar on 23-24 March 2006. We also noted the initiative taken by the United Nations Undersecretary General for Political Affairs, who visited Myanmar on 18-20 May 2006 and Myanmar's readiness to receive another visit by him.

80. We recognized that Myanmar needs both time and political space to deal with its many and complex challenges. We hope that Myanmar's efforts to deal with those challenges will progress so that Myanmar can effectively engage the international community, and in this regard ASEAN would remain constructively engaged as required.

REGIONAL AND INTERNATIONAL ISSUES

81. We exchanged views on the following issues:

- Timor Leste

82. We took note of the recent positive developments in Timor Leste and welcomed the immediate assistance from Malaysia, Australia, New Zealand and Portugal to deploy defence and security forces in Timor Leste. We welcomed the appointment of the new Prime Minister and Cabinet. We congratulated H. E. José Luis Guterres, Minister of Foreign Affairs and Cooperation of Timor Leste, on his recent appointment.

83. We agreed to Timor Leste's participation, where appropriate, in functional areas of ASEAN activities. We also welcomed Timor Leste's decision to accede to the TAC.

- Iraq

84. We were encouraged by the determination of the Iraqis in taking important steps in the political process towards reconciliation and shaping the democratic and independent future of Iraq. We welcomed the election that took place in Iraq on 15 December 2005 to elect 275 members of the Iraqi Parliament and subsequent establishment of the Iraqi Government of national unity on 20 May 2006 that could bring about political and economic reconstruction. However, we expressed deep concern over the deteriorating security condition in Iraq, including the continued attacks on civilians and places of worship. We urged the Iraqi authorities and others to improve the security situation in Iraq and to engage with all parties in resolving the political differences through peaceful democratic means. We also earnestly hoped that the new Iraqi Government would act with utmost urgency towards the restoration of national unity and political stability that would contribute to durable peace, security and prosperity in the country.

- Middle East

85. We were gravely concerned over the deteriorating situation and the escalation of violence in the Middle East, particularly the disproportionate, indiscriminate and excessive use of force by Israel in the Occupied Palestinian Territory and in Lebanon, triggered by the capture of the two Israeli soldiers. It would threaten efforts towards reviving the Peace Process.

86. We condemned all acts of terror, violence and destruction. We also condemned attacks that have resulted in injury and death of innocent civilians and the destruction of civilian property and infrastructure. We further condemned the abduction and detention of Cabinet Ministers, government officials, and other individuals and we called for their immediate and unconditional release.

87. We urged all parties to exercise utmost restraint, in particular to avoid additional casualties among innocent civilians and damage to civilian property and infrastructure and to refrain from acts that could further exacerbate the situation and worsen the humanitarian crisis.

88. We called for an immediate ceasefire and urged the international community and the United Nations Security Council (UNSC) to get all parties in the conflicts to adhere to the ceasefire under UN supervision with the participation of countries that are able to do so, and ultimately to work towards a just, durable and comprehensive peace in the region.

89. We reaffirmed the call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon as stipulated in UNSC Resolutions 1664 and 1680.

90. We also urged Israel and Palestine to return to the peace process and implementation of the Quartet Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict as outlined in UNSC Resolution 1515.

91. We welcomed all efforts taken to address the situation, including the visits to the region by the Special Advisor of the UN Secretary-General to the Middle East and the UN Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, as well as the efforts undertaken by the Foreign Minister of France in that country's capacity as current President of the United Nations Security Council. We viewed the visit by the U.S. Secretary of State to the region and Italy's intention to host an international conference on 26 July 2006 as encouraging steps and hope that these would bring about the immediate cessation of hostilities, opening the way for the unimpeded flow of humanitarian relief and assistance to the civilians affected by the conflict, the early return of displaced persons and providing the conditions for a durable and lasting solution to the problems in the region. We also emphasised the need for speedy restoration of essential infrastructure facilities in Palestine and Lebanon to avoid further deterioration of humanitarian condition of the Palestine and Lebanese people.

- Korean Peninsula

92. We expressed our concern over the latest developments in the Korean Peninsula including the test-firing by DPRK of its Taepodong-2 missiles on 5 July 2006 which could affect peace and stability in the region. We noted the unanimous adoption of the UNSC resolution 1695. We also expressed our desire for the realisation of a nuclear-free Korean Peninsula and our continued support for the early resumption of the Six Party Talks. We also expressed our hope that the on-going inter-Korean exchanges would continue to provide conditions which would be conducive to peace and stability in the Korean Peninsula. We also believed that the ARF can contribute to promoting peace and stability in the Korean Peninsula and expressed the hope that members of the Six Party Talks can utilise their presence during the ARF to promote the resumption of the Talks.

- World Trade Organisation (WTO)

93. We reemphasised the importance of a rule-based multilateral trading system. We expressed regret on the failure to agree to the negotiating modalities on agriculture and non-agriculture market access (NAMA) at the Informal Ministerial Meeting held on 29 June - 1 July 2006 in Geneva. We called on all WTO Members, especially the major ones, to redouble their efforts in line with their commitment to the objectives of the Doha Development Agenda (DDA) and to ensure that the negotiations would come to a successful conclusion by the end of 2006. We reiterated that the Doha Round must achieve an ambitious and balanced outcome that is development-oriented with particular emphasis on ensuring real, effective and operational development benefits to developing countries.

94. We reiterated our support to the early accession of the Lao PDR and Viet Nam to the WTO. In this connection, we congratulated Viet Nam on her conclusion of all her bilateral negotiations and supported the earliest completion of the multilateral negotiation process to enable Viet Nam to join the WTO before

November 2006.

- Asia-Middle East Dialogue (AMED)

95. We recognised that now is the opportune time to strengthen ties and forge cooperation between Asia and the Middle East that would allow the two regions to take advantage of their resurgence in the global economy. The AMED was conceived to achieve this objective by fostering dialogue and mutual understanding through three Working Groups on Political and Security issues, on Social, Educational, Cultural, Scientific and Media issues, and on Economic issues.

- Asia-Cooperation Dialogue (ACD)

96. We also welcomed the outcome of the 5th ACD Ministerial Meeting on 23-24 May 2006 in Doha, Qatar. We commended the progress that has been made with respect to the promotion of closer cooperation in the area of energy, which is to put priority on such areas as energy security, research and assessment on energy, energy infrastructure and development and exploring the possibility of reinvesting revenues that accrue from the energy in the ACD countries to enhance sustainable growth and development in Asia. We look forward to the 2nd ACD Energy Forum to be hosted by Pakistan in November 2006 to further discuss this and other important energy issues. We also commended the progress that has been made in the area of financial cooperation, especially with regard to making productive use of Asia's substantial savings, including revenues that accrue from the energy trade, and invest these through the Asian Bond Market mechanism for the benefit of the region.

- Asia-Africa Cooperation

97. We noted the progress on the follow up of the outcome of the Asia-Africa Summit toward the realisation of the New Asia-Africa Strategic Partnership (NAASP) and look forward for the development of concrete programme and project cooperation by the Senior Officials' Meeting to be held in Durban on 1-3 September 2006.

- Asia-Pacific Economic Cooperation (APEC)

98. We welcomed the progress achieved by APEC member economies towards facilitating and liberalizing trade and investment as well as towards economic and technical cooperation in the Asia-Pacific region. We believed ASEAN and APEC share a common vision of promoting regional sustainable growth and shared prosperity. We also believed that greater collaboration between ASEAN and APEC through the exchange and sharing of information, expertise and best practices and capacity building programmes would contribute towards this vision and that the ASEAN-APEC partnership would also benefit the business sector and other sectors through the various trade facilitation initiatives to address business concerns and impediments to cross border trade, investment and cooperation. In this regard, we expressed our full support for Viet Nam to successfully hold the 14th APEC Economic Leaders' Meeting in November 2006 with a view to contributing to the building of a dynamic community for sustainable development and prosperity. We also supported Cambodia's intention to seek membership in APEC.

- Asia-Europe Meeting (ASEM)

99. We stressed the need for ASEM to provide a foundation and framework for fostering the Asia-Europe

comprehensive partnership in the 21st century. We look forward to a successful convening of the 6th ASEM Summit on 10-11 September 2006 in Helsinki, Finland and the commemoration of the 10th anniversary of ASEM as an important benchmark of a ten-year process linking Asia and Europe. We hoped that the 6th ASEM Summit would further strengthen a mutually beneficial and forward looking Asia-Europe partnership. We hoped further it would reflect in its vision on the future directions of ASEM cooperation in areas of mutual concern and interest such as strengthening multilateralism; addressing security threats; sustainable development; dialogue among cultures and civilisations; and globalization and competitiveness.

100. We welcomed the initiative to establish the ASEM Virtual Secretariat (AVS) at the ASEAN Secretariat as an information-sharing device to facilitate coordination and cooperation among its partners. In this context, we look forward to contributions to the ASEAN Secretariat by all ASEM partners to ensure the effective operation of the AVS.

- United Nations (UN)

101. We reaffirmed our support for multilateralism and international law as embodied in the UN Charter. In reviewing the status of the implementation of the 2005 World Summit Outcome Document, adopted at the conclusion of the High-level Plenary Meeting of the General Assembly held from 14 to 16 September 2005, we supported a comprehensive reform of the United Nations and underlined the need to enhance the voice and the role of the developing countries within the UN system. We believed that to ensure that the UN remains relevant and effective, it is imperative that it be democratized efficient, transparent, accountable, and truly reflective of the will and interest of all Member States. We also welcomed the establishment of the UN Human Rights Council and the UN Peacebuilding Commission.

102. We reaffirmed ASEAN's support for Indonesia, Viet Nam, Thailand, Cambodia and Malaysia's candidature to become non-permanent members of the UN Security Council for the year 2007-2008, 2008-2009, 2011-2012, 2013-2014, 2015-2016 respectively. In this context, we also reaffirmed our collective endeavour to support Indonesia's bid for the non-permanent seat for the UNSC for 2007-2008, in the election to be held at the 61st Session of the UN General Assembly and requested Indonesia to coordinate this endeavour with the Permanent Representatives of ASEAN Member Countries in New York.

ASEAN Candidature for the UNSG

103. We reaffirmed our endorsement of Dr. Surakiart Sathirathai, Deputy Prime Minister of Thailand as the ASEAN Candidate for the post of Secretary-General of the United Nations (UNSG). We agreed to continue to pursue a coordinated strategy in support of the campaign for the ASEAN Candidate. We called on all Member States of the United Nations to support the ASEAN Candidate.

Cooperation with Regional Organisations

104. We recalled the outcomes of the ASEAN-South Asia Association for Regional Cooperation (SAARC), ASEAN-Gulf Cooperation Council (GCC) and ASEAN-Economic Cooperation Organization (ECO) Foreign Ministers Meetings in September 2005 in New York where several areas were identified for cooperation

between ASEAN and these organisations. We recognized the potential of these cooperation arrangements to generate mutual benefits.

40th AMM

105. We elected the Philippines as the In-coming Chair of the 40th ASEAN Standing Committee and Singapore as the Vice-Chair. We look forward to the 40th ASEAN Ministerial Meeting / Post Ministerial Conferences / 14th ASEAN Regional Forum to be held on 30 July to 2 August 2007 in the Philippines.

Annex 153

Association of Southeast Asian Nations, *Joint Communiqué: 40th ASEAN Ministerial Meeting* (30 July 2007)

Joint Communique of the 40th ASEAN Ministerial Meeting (AMM) “One Caring and Sharing Community” Manila, 29-30 July 2007

INTRODUCTION

1. We, the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN), met at the 40th ASEAN Ministerial Meeting on 29-30 July 2007 in Manila. His Excellency Alberto G. Romulo, Secretary of Foreign Affairs of the Philippines and Chairman of the 40th ASEAN Standing Committee, chaired the Meeting.

2. The Representatives of Timor-Leste and Papua New Guinea attended the Opening Ceremony of the 40th ASEAN Ministerial Meeting as Guest of the Chairman of the 40th ASEAN Standing Committee and as Special Observer in ASEAN, respectively.

OPENING ADDRESS

3. Her Excellency President Gloria Macapagal-Arroyo, President of the Republic of the Philippines, addressed the Opening Ceremony of the 40th ASEAN Ministerial Meeting.

4. President Arroyo stated that ASEAN relations have never been stronger and recalled ASEAN achievements in cooperation, solidarity, fighting poverty and winning collective security. She called on ASEAN to carry forward the landmark commitments made at the 12th ASEAN Summit to create “one caring and sharing” community by 2015. She said such a community should be anchored on economic integration with a focus on social justice and raising the standards of living in the region.

5. To achieve that objective, President Arroyo urged ASEAN to build upon its bold decision to draft an ASEAN Charter that will strengthen ASEAN and deepen collaboration among its Member Countries. She said the ASEAN Charter should be a testament to ASEAN’s commitment to become one, single united front.

6. President Arroyo said, furthermore, that developing ASEAN is more than creating a regional community and should also be a dynamic force in Asia that would maximize the benefits of globalization. For ASEAN to become a true expanding union, the President said ASEAN should continue nurturing its relations with key partners through, among other things, forging free trade agreements and engaging all parties that have a stake in the region to establish an East Asia community.

7. President Arroyo also called on ASEAN to point the way ahead in regional security cooperation. In this regard, she said that ASEAN welcomed the recent positive developments on the Korean Peninsula nuclear issue, including the shutdown of the Yongbyon reactor, and commended all parties for the progress they have made thus far. She said ASEAN must stand ready to advance regional security and stability and, in this connection, to strengthen our collective stake in a stable Korean Peninsula.

8. The President emphasized the achievements ASEAN has made in regional security, from the Treaty of Amity and Cooperation in Southeast Asia (TAC) to the ASEAN Regional Forum (ARF). The President said ASEAN has been a force for regional peace and progress for forty years and must find the means to sustain this role for the next forty years.

9. In conclusion, President Arroyo said ASEAN must be a community where all can grow and prosper together. If ASEAN succeeds in this respect, then future generations will look back on ASEAN's fortieth year, on the 12th ASEAN Summit and on the 40th ASEAN Ministerial Meeting, as the point where the region's effort to attain this aspiration was begun.

THE ASEAN COMMUNITY

10. We welcomed the progress achieved in the implementation of the Leaders' decisions at the 12th ASEAN Summit on 13 January 2007 in Cebu, Philippines, in accelerating the establishment of an ASEAN Community to 2015 and in building a people-centred ASEAN, consistent with our commitment to establish "One Caring and Sharing Community". We reaffirmed our resolve to pursuing region-wide programmes and activities that would truly make ASEAN relevant, beneficial and meaningful to peoples of ASEAN.

11. We are encouraged by the advancement we have made in ASEAN regional integration, and agreed to further intensify our efforts to accelerate the narrowing of the development gap to ensure the realization of the ASEAN Community.

12. We recognized the need for synergy in enhancing our efforts and pooling our resources, as well as achieving effective coordination, so that ASEAN can be more responsive to and consistent with the stated goals and objectives of an ASEAN Community.

13. To ensure that all three pillars of the ASEAN Community move in the same pace, we agreed to give particular attention to developing blueprints for each of the ASEAN Security Community and the ASEAN Socio-Cultural Community, similar to those of the ASEAN Economic Community.

14. We agreed in a Joint Statement issued on 30 July 2007 to recommend to our Leaders the endorsement of the proposal to observe ASEAN Day (8 August) as a special day in each of the ASEAN Member Countries with the objective of increasing ASEAN awareness among our people.

40th Anniversary of ASEAN

15. We highlighted that the 40th anniversary of ASEAN on 8 August 2007 will be an historic milestone for our regional organization. We supported the various initiatives and activities carried out by Member Countries to commemorate this auspicious occasion, which would highlight ASEAN's achievements and develop ASEAN consciousness. We welcomed Malaysia's initiatives to convene an ASEAN Integrity Dialogue.

Vientiane Action Programme (VAP)

16. We took note of the progress in the implementation of the Vientiane Action Programme (VAP). Reaffirming our commitment to the completion of the VAP by 2010, we agreed to mobilize financial resources for the remaining VAP programs, projects and activities. We resolved to strengthen coordination among the various ASEAN sectoral bodies carrying out the VAP and reiterated the importance of undertaking coordination among the three pillars of ASEAN Community.

Initiative for ASEAN Integration (IAI)

17. We agreed to exert greater efforts on narrowing the development gap to enhance ASEAN integration and

ensure equitable economic development for the well-being of the peoples of ASEAN.

18. We expressed support for the recommendations made at the Second Initiative for ASEAN Integration (IAI) Development Cooperation Forum in Ha Noi, Viet Nam, on 12-13 June 2007 on new and innovative strategies to narrow the development gap among the ASEAN Member Countries, including the proposed formulation of the Second IAI Work Plan for 2008-2015. To realize the full ASEAN integration in compliance with ASEAN Community by 2015, we recognized the need to also address the “pockets of poverty and underdevelopment” in ASEAN Member Countries. The programmes for IAI should also be aligned with ASEAN’s larger efforts to become an ASEAN Community by 2015.

19. We expressed appreciation to our Dialogue Partners and other international institutions for their support and contributions to the IAI. We are committed to sustain and accelerate our efforts to narrow the development gap in the region to make ASEAN more economically competitive and socially cohesive.

The ASEAN Charter

20. We stressed the importance of codifying the principles, values and norms of ASEAN into a Charter and in sustaining the momentum towards transforming ASEAN into a rules-based organization with a legal personality, capable of performing a greater role in regional and international affairs.

21. We welcomed the submission of the first draft of the ASEAN Charter by the High Level Task Force on the Drafting of the ASEAN Charter (HLTF) and conveyed our appreciation for the HLTF’s excellent work. We thoroughly discussed the draft ASEAN Charter and gave our views to the HLTF on the important aspects of the ASEAN Charter. We looked forward to the completion of the work of the HLTF and its submission of the final draft of the ASEAN Charter at the 13th ASEAN Summit in November 2007 in Singapore.

ASEAN SECURITY COMMUNITY (ASC)

22. We stressed the importance of building the ASC as a backbone of the ASEAN Community. We noted the convening of the 2nd ASC Plan of Action Coordinating Conference (ASCCO) on 10-11 July 2007 and underscored the importance of coordination in the implementation of the Programme Areas and Measures of the ASC Plan of Action in the process of ASEAN Community building.

23. We agreed to undertake all efforts to ensure early ratification and entry into force of the ASEAN Convention on Counter-Terrorism (ACCT) and to intensify cooperation to ensure a peaceful and stable ASEAN. We took note of the progress achieved at the recent 7th Senior Officials Meeting on Transnational Crime (SOMTC) Meeting in Lao PDR, which endorsed the institutionalization of the SOMTC Working Group on Counter Terrorism. We also welcomed the recommendations of the ASEAN Ad Hoc Meeting on Anti-Corruption. We took note of the process to develop a model ASEAN Extradition Treaty as part of our concerted efforts to establish an ASEAN Extradition Treaty. We also encouraged signatory countries to ratify the Regional Treaty on Mutual Legal Assistance on Criminal Matters so as to ensure its effective implementation.

24. Consistent with our goal to build One Caring and Sharing Community, we are committed to the timely implementation of the provisions of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers. We agreed to establish the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers that will lead and oversee the implementation of various activities under this Declaration. We recognized that this Committee shall report to ASEAN Senior Labor Officials.

25. We reaffirmed our commitment to the protection and promotion of human rights under the Vientiane Action Programme (VAP). We also noted the convening of the 6th Workshop on ASEAN Regional Human Rights Mechanism in Manila on 16-17 July 2007 and the Working Session of National Human Rights Institutions Consultations Mechanism in Bali on 28 June 2007. We further noted the work carried out by the non-governmental Working Group for an ASEAN Human Rights Mechanism, including the meeting between the open-ended SOM Troika and the Working Group on the sidelines of the 40th AMM with the objective of facilitating the implementation of the activities under the promotion of human rights component of the VAP.

Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ)

26. We noted the results of the Meeting of the Commission on SEANWFZ in Manila on 30 July 2007 which reviewed the progress of the implementation of the Treaty since it came into force in 1997 and discussed ways for the Treaty to effectively contribute to ASEAN Security Community-building efforts.

27. We welcomed the adoption of the Plan of Action that would guide the future implementation of the SEANWFZ Treaty to ensure that we are able to respond to the evolving internal and external challenges and opportunities.

Treaty of Amity and Cooperation in Southeast Asia

28. We welcomed the accessions to the TAC of the Republic of France and the Democratic Republic of Timor-Leste at the margins of the 12th ASEAN Summit on 13 January 2007 in Cebu, Philippines. We looked forward to the accessions of the Democratic Socialist Republic of Sri Lanka and the People's Republic of Bangladesh to the Treaty of Amity and Cooperation in Southeast Asia (TAC) on 1 August 2007 in Manila. We acknowledged the declarations of the United Kingdom and the European Union of their intent to accede to the TAC. We noted that the continuing interest in the TAC underscores its important role as a key code of conduct governing inter-state relations in Southeast Asia and its value as a major diplomatic instrument for the promotion of peace, security and stability in the region.

29. We called upon the other countries, particularly our Dialogue Partners and friends in the ARF, sharing ASEAN's aspirations for peace, security, stability and development in the region, to also accede to the TAC.

South China Sea

30. We reaffirmed the continuing importance of the Declaration on the Conduct of Parties in the South China Sea of 2002 (DOC) as a milestone document between ASEAN and China, embodying their collective commitment to ensure the peaceful resolution of disputes in the area. We believed that the Declaration had been effective in building mutual trust and confidence among the claimants in the area and in maintaining peace and stability in the region. We underscored the need to intensify efforts to move forward the implementation of the Declaration and eventually conclude a Regional Code of Conduct in the South China Sea.

31. We encouraged the continued exercise of self-restraint by all the parties concerned and the promotion of confidence building measures in this area and welcomed their commitment to resolving disputes in the South China Sea by peaceful means in conformity with the spirit of the DOC and recognized principles of international law including the United Nations Convention on the Law of the Sea.

ASEAN Regional Forum (ARF)

32. We reaffirmed the role of ASEAN as the primary driving force of the ASEAN Regional Forum (ARF) process and the ARF as the primary forum in enhancing political and security dialogue and cooperation as well as the fulcrum for building peace and security in the wider Asia-Pacific region.

33. We welcomed the Democratic Socialist Republic of Sri Lanka as the 27th participating country in the ARF and we looked forward to its attendance at the 14th ARF on 2 August 2007. We expressed confidence that the Democratic Socialist Republic of Sri Lanka would be able to contribute to the further enhancement of political and security dialogue and cooperation in the region.

34. We commended the steady progress and growing momentum generated in the implementation of ARF activities. We encouraged the forging of more concrete and practical cooperation among ARF countries in building capacity and capabilities in order to better cope with numerous challenges, including in counter-terrorism, disaster relief, maritime security, non-proliferation and disarmament of weapons of mass destruction and energy security, among others. We would discuss at the 14th ARF Meeting the elevation of the ARF to a premier forum for discussion of security issues of common concern affecting the region in the future.

35. While emphasising that confidence building would continue to play a vital role in the ARF process, we welcomed the ARF's progress towards Preventive Diplomacy (PD). We also commended the activities undertaken to enhance links between Track I and Track II in the ARF, and between the ARF and other regional and international security organisations. We noted with satisfaction the progress made in the implementation of the agreed ARF activities for the Inter-Sessional year 2006-2007.

ASEAN ECONOMIC COMMUNITY (AEC)

36. We underscored ASEAN's commitment to establish a Single Market and Production Base characterized by a competitive economic region with equitable economic development and one that is fully integrated into the global economy.

37. We noted the finalisation of the ASEAN Economic Community Blueprint and Strategic Schedule, which will serve as an integrated and coherent master plan with clearly defined measures and actions, milestones and timelines to establish the ASEAN Economic Community by 2015, for the consideration and signing by the ASEAN Leaders at the 13th ASEAN Summit in November 2007 in Singapore. This would reaffirm and reinforce ASEAN's collective will to deepen the economic integration of the region.

38. We supported the decision of the ASEAN Economic Ministers to recognise Viet Nam as a full market economy, taking into consideration its rate of economic progress and integration with the regional and global economies, and we encouraged our Dialogue Partners to make similar recognitions.

Energy Cooperation

39. We agreed to implement projects and activities in line with the Cebu Declaration on East Asian Energy Security within ASEAN and the East Asia Summit (EAS). In particular, we welcomed the upcoming inaugural meeting of the EAS Energy Ministers in Singapore on 23 August 2007 as an important step towards fulfilling the Cebu Declaration and following-up on the Leaders' discussions during the 2nd EAS in Cebu. We are committed to improving energy efficiency and conservation, increasing the use of alternative and renewable sources of energy, expanding biofuel production/utilization, developing open and competitive energy markets, and encouraging greater private sector involvement in energy resource and infrastructure investment within the region.

Sub-regional Cooperation

40. We recognised the positive contributions of sub-regional cooperation within ASEAN to the growth and development of the whole region. We supported the initiatives and programmes currently being undertaken under these sub-regional arrangements within ASEAN: Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS), Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA), Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT), Cambodia-Laos-Myanmar-Viet Nam (CLMV), and Cambodia-Lao-Vietnam Development Triangle (CLV-DT).

ASEAN SOCIO-CULTURAL COMMUNITY (ASCC)

41. To ensure that all three pillars of the ASEAN Community move in the same pace, we agreed to paying particular attention to putting in place a mechanism for the socio-cultural community, similar to the SOM and SEOM, which coordinates the activities of the two other Communities. We tasked our senior officials to come up with a blueprint to ensure proper coordination of the ASEAN Socio-Cultural Community (SOC-COM).

42. We agreed that ASCC sectoral bodies should work together with those under the AEC in intensifying strategic focus, particularly on the core element pertaining to “Managing the Social Impact of Economic Integration.” They should also focus on operationalising the decisions and declarations of the 12th ASEAN Summit and consider possible thematic approach and cross-cutting programmes in the fields of migrant workers, women, education, ASEAN identity, disaster management, climate change and sustainable development, and communicable diseases. We encouraged ASEAN sectoral bodies to develop and implement some flagship projects under the ASCC.

43. To carry out the ASCC Plan of Action, particularly towards building a community of caring societies, we agreed on the need to draw up an ASEAN roadmap for the implementation of the Millennium Development Goals Plus (MDG Plus) by the concerned ASEAN sectoral bodies, particularly those involved in poverty reduction and social development.

44. We recognised the valuable contribution of the civil society organizations (CSO) in the building of an ASEAN Community and expressed our commitment to continue to engage with CSO representatives at various levels, programmes and meetings.

45. We acknowledged the Report of the Executive Director of the ASEAN Foundation. We noted ASEAN Foundation’s 10th year anniversary in 2007 and encouraged it to continue its efforts in promoting ASEAN awareness in the region, especially among the youth and students, and in mobilising funds to support its programmes and activities.

Consular and Immigration

46. In line with our goal of increasing people-to-people contacts among ASEAN nationals and promoting freer intra-ASEAN travel, we called for the early ratification by Member Countries of the ASEAN Visa Framework Agreement.

47. Recalling the Statement by the Foreign Ministers of ASEAN in Kuala Lumpur on 25 July 2006 and consistent with our commitment to build One Caring and Sharing Community, we committed to extend the appropriate emergency assistance to all ASEAN nationals caught in crisis and conflict situations in third

countries. We adopted the guidelines for the provision of emergency assistance by ASEAN missions in third countries to nationals of ASEAN Member Countries in crisis situation.

Environment and Climate Change

48. We expressed concern over the impact of global warming and climate change and called on concerted efforts involving the international community, including the private sector and the civil society, in addressing these challenges in accordance with the principle of common but differentiated responsibilities.

49. We welcomed the proposal by Singapore, as the next Chair of ASEAN, to focus on “Energy, Environment, Climate Change and Sustainable Development” as the theme for discussions at the 13th ASEAN Summit and Related Summits in Singapore in November 2007. In line with this theme, we looked forward to the ASEAN Leaders’ Declaration on Environmental Sustainability to be signed at the 13th ASEAN Summit. We also welcomed Singapore’s proposal to work on a Singapore Declaration on the Environment to be issued at the 3rd East Asia Summit in Singapore. We also looked forward to the outcome of the Informal ASEAN Ministerial Meeting on Environment to be held in Bangkok in September 2007. We called on the international community to support the successful convening of the 13th Conference of Parties (COP) of the United Nations Framework Convention on Climate Change (UNFCCC) and the 3rd Meeting of Parties (MOP) of the Kyoto Protocol to be held in Bali on 3-14 December 2007. We also welcomed the Indonesian proposal to develop a draft declaration on the 13th COP to the UNFCCC and the 3rd MOP to the Kyoto Protocol to be signed by the Leaders at the 13th ASEAN Summit.

50. We reiterated the need to step up cooperation to prevent and mitigate transboundary haze pollution in the region and welcomed the efforts of ASEAN Member Countries to finalize the process of ratification of the ASEAN Agreement on Transboundary Haze Pollution. We called upon the ASEAN Member Countries to expedite the operationalisation of the ASEAN Agreement on Transboundary Haze Pollution and for those that have not yet ratified to do so soon.

51. We welcomed the signing of the Host Country Agreement between the Republic of the Philippines and the ASEAN Centre for Biodiversity (ACB) on 8 August 2006 in Manila. We expressed support for the operations of the ACB and the implementation of various projects that would preserve and protect biodiversity areas in the region. We encouraged our Dialogue Partners to support the ACB in implementing key biodiversity projects.

Disaster Management

52. Recognising the fact that Southeast Asia is one of the most disaster-prone regions in the world, we committed to coordinate and cooperate during disaster emergencies to provide immediate relief, assistance and rehabilitation to disaster victims, and implement measures to reduce disaster losses in the ASEAN region. We called for the early ratification of the ASEAN Agreement on Disaster Management and Emergency Response (AADMER).

53. We endorsed the offer of Indonesia to host the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre) as recommended by the 4/40 Meeting of the ASEAN Standing Committee, held in Manila on 27-28 July 2007, and we tasked the relevant officials to work out the details.

Health

54. We expressed support for the implementation of the Third ASEAN Work Programme (AWP) on HIV and AIDS for 2006-2010, following its adoption by the Leaders during the 12th ASEAN Summit Special Session on HIV and AIDS.

Education

55. We expressed support for programmes undertaken by the ASEAN University Network in promoting ASEAN studies and ASEAN regional identity among the youth. We acknowledged the critical role that education plays in fostering greater inter-cultural, inter-religious and inter-racial understanding within and among societies in the region. We agreed on the need to provide broader access to education and more educational opportunities and scholarships for study in ASEAN universities.

Labour

56. We welcomed the establishment on 30 July 2007 of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers as the instrument for effectively implementing the provisions of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers, which our Leaders signed on 13 January 2007 in Cebu, Philippines.

57. We expressed confidence that with the signing of the Cooperation Agreement between the ASEAN Secretariat and the International Labour Organisation (ILO) Secretariat on 20 March 2007, ASEAN and the ILO would collaborate more to address labour issues where they have common interests. We also welcomed the adoption of an ASEAN Plan of Action on National OSH Framework and the continued progress of the ASEAN Occupational Safety and Health Network.

Youth

58. We recognised the importance of involving and engaging ASEAN youth to obtain their perspectives on the activities and programmes of ASEAN. We welcomed Singapore's announcement to launch a S\$5-million Singapore-ASEAN Youth Fund at the ASEAN Ministerial Meeting on Youth on 26 April 2007, which aims to foster greater understanding and friendship amongst the youth of the region through its support of ASEAN youth projects. We agreed to harness the capabilities, talents and potentials of the youth so that they could contribute more to ASEAN. We were encouraged by the interest of Dialogue Partners to undertake youth and student exchange programmes with ASEAN as a way of promoting cross-cultural understanding.

Science and Technology

59. We commended the initiative to strengthen science and technology cooperation between ASEAN and the Dialogue Partners, such as Australia, China, India, Japan, the Republic of Korea and New Zealand, through the holding of informal ministerial consultations held on 28-29 August 2006 in Kuantan, Malaysia. We also welcomed the efforts of ASEAN and the U.S. to forge dynamic and effective cooperation among scientific and technological organisations and individual scientists and technical experts in these countries through the establishment of the ASEAN-U.S. Science and Technology Agreement, which will be signed soon. We also look forward to the establishment of the ASEAN-India Science and Technology Development Fund, which will promote collaborative research and development activities between ASEAN and India.

Rural Development and Poverty Eradication

60. We welcomed the development of the ASEAN Millennium Development Compact (AMDC) during the 5th ASEAN Ministerial Meeting on Rural Development and Poverty Eradication (5th AMRDPE) in Bangkok in January 2007. We looked forward to the adoption of the AMDC during the next Senior Officials Meeting on Rural Development and Poverty Eradication (SOMRDPE) in Singapore next year to pursue the priority projects under the ASEAN Framework Action Plan on Rural Development and Poverty Eradication in order to improve the economic conditions of people living in the rural areas.

Culture and Information

61. We acknowledged the significance of a number of projects and activities that were implemented in the culture and information sectors to promote the rich and vast cultures of ASEAN and raise the level of ASEAN awareness among the peoples of ASEAN. We recognised the contribution of the ASEAN Committee on Culture and Information (COCI) in the implementation of these projects and activities. We supported the formulation of an ASEAN Communications Plan under the purview of the ASEAN Ministers Responsible for Information (AMRI) to promote ASEAN to the people in and outside the region. We underscored the importance of having more television programs about ASEAN in Member Countries as a communication tool to promote cross-cultural understanding among the people of ASEAN.

EXTERNAL RELATIONS

62. We stressed the important role and contributions of our Dialogue Partners, namely Australia, Canada, China, the European Union (EU), India, Japan, New Zealand, the Republic of Korea, the Russian Federation, and the United States of America, in the building of an ASEAN Community. We were pleased with the progress in our cooperation with our Dialogue Partners over the past year and committed to moving these partnerships forward. We discussed regional and international issues that were of interest to ASEAN and our Dialogue Partners.

63. We looked forward to the signing of the Joint Declaration of the ASEAN-Australia Comprehensive Partnership on 1 August 2007 and the early finalization of the Plan of Action to Implement the Joint Declaration of the ASEAN-Australia Comprehensive Partnership (2007-2012). We expressed confidence that the implementation of the Joint Declaration would further broaden and enhance ASEAN-Australia Dialogue Relations covering political and security, economic and socio-cultural cooperation.

64. We agreed to adopt the 2007-2010 Second ASEAN-Canada Joint Cooperation Work Plan on 1 August 2007.

65. We also agreed to work expeditiously to complete the Plan of Action to Implement the Nuremberg Declaration on an ASEAN-EU Enhanced Partnership. We welcomed the launch of the ASEAN-EU FTA negotiations, on a region-to-region basis, during the 8th ASEAN Economic Ministers and EU Trade Commissioner Consultations in Brunei Darussalam in May 2007. In this regard, we welcomed the convening of the ASEAN-EU Commemorative Summit in Singapore on 22 November 2007 to further deepen and enhance the partnership.

66. We welcomed the Russian Federation's initial contribution to the ASEAN-Russian Federation Dialogue Partnership Fund, which would pave the way for the implementation of joint ASEAN-Russia projects. We noted the progress in the drafting of the ASEAN-Russia Agreement on Cultural Cooperation, and looked forward to its signing by the Ministers Responsible for Culture and Arts at an appropriate time, which will promote exchange and cooperation in various cultural and artistic fields between ASEAN and the Russian Federation.

67. We welcomed the conferment of observer status to ASEAN at the UN General Assembly and other main bodies in December 2006. We recalled our decision during our ASEAN Foreign Ministers Retreat in Siem Reap in March 2007 to explore the possibility to upgrade our relations with the UN. In this regard, we looked forward to conclude the ASEAN-UN Cooperation Agreement as soon as possible.

68. We acknowledged the interest of Pakistan, currently an ASEAN Sectoral Partner, to become a Full Dialogue Partner. We looked forward to implementing more cooperation projects and strengthening ASEAN-Pakistan relations. Towards this end, we welcomed the contribution from Pakistan to the ASEAN-Pakistan Cooperation Fund.

69. We were encouraged by the interest expressed by countries and regional and international organisations to forge relations with ASEAN. We agreed that ASEAN should work to promote greater interactions with those countries and organisations.

70. We took note that this year marks the 30th Anniversary of the establishment of ASEAN Dialogue Relations with the EU, the United States of America and Canada. We underscored the importance of these milestone events and agreed to conduct various commemorative activities in ASEAN and in the three Dialogue Partner countries this year.

71. We expressed satisfaction on the progress of partnership between ASEAN and the Plus Three Countries in the economic and financial area, particularly the multilateralisation of the Chiang Mai Initiative and expansion of the Asian Bond Market Initiative, as well as in new areas of cooperation, such as women, poverty alleviation, disaster management and minerals. We renewed our commitment to the ASEAN Plus Three process. We looked forward to the adoption of the Second Joint Statement on East Asia Cooperation and its accompanying Work Plan at the 11th ASEAN Plus Three Summit in Singapore, to mark the Tenth Anniversary of ASEAN Plus Three Cooperation. We reaffirmed that the Second Joint Statement should provide strategic guidance for the future direction of the ASEAN Plus Three Cooperation in the next ten years.

72. We welcomed the entry into force of the ASEAN-Korea Free Trade Agreement in Goods (FTA) on 1 June 2007 and the progress made in the FTA negotiations with Australia, India, Japan and New Zealand, as well as negotiations on services and investment agreements with the Republic of Korea and the investment agreement with China. These expansions in economic ties with Dialogue Partners would contribute positively to the economic development of the region and complement ASEAN's own internal integration process.

73. We recalled the successful convening of the 2nd EAS in Cebu on 15 January 2007 and noted that the EAS has carved for itself an important niche as a Leaders-led forum for dialogue on broad strategic, political and economic issues of common interest. We reaffirmed our commitment to intensify our cooperation in the priority areas of energy security, education, finance, avian influenza, poverty alleviation and natural disaster mitigation. We welcomed the progress in the cooperation made thus far in energy security and the work done on other important proposals and ideas endorsed by the EAS Leaders in Cebu, in particular, in financial integration, the proposal for a Comprehensive Economic Partnership in East Asia, and the revival of the Nalanda University. We agreed that progress reports on these projects should be submitted to the next EAS in Singapore. We noted the preparation of the EAS Regional Financial Cooperation and Integration (RFCI) Workshop to be held in Jakarta on 10 September 2007.

74. We noted the on-going 2nd Phase Study on the feasibility of establishing the East Asia Free Trade Area (EAFTA) and the commencement of the study of the Comprehensive Economic Partnership in East Asia (CEPEA) involving ASEAN, Australia, China, India, Japan, Korea, and New Zealand. We also noted the discussion among the experts on the establishment of the Economic Research Institute for ASEAN and East

Asia (ERIA).

DEVELOPMENTS IN MYANMAR

75. We took note of the briefing by Myanmar on the recent developments in the process of national reconciliation and peaceful transition to democracy as envisaged in the Roadmap to Democracy. We expressed concern on the pace of the national reconciliation process and urged Myanmar to show tangible progress that would lead to a peaceful transition to democracy in the near future. We welcomed the convening of the final session of the National Convention, which commenced on 18 July 2007, and we were encouraged by the assurances of Myanmar that the National Convention process will be completed within two months. We also expressed the hope that it would allow Myanmar to move to the next steps of the Roadmap. While recognizing the steps taken by the Myanmar Government to release the leader of the NLD, we continue to express concern on the detention of all political detainees and reiterate our calls for their early release.

76. We recognized the fact that Myanmar has tried to address the many and complex challenges she is facing. We reaffirmed our commitment to remain constructively engaged with Myanmar as part of building “one caring and sharing” regional community together.

REGIONAL AND INTERNATIONAL ISSUES

We exchanged views on the following issues:

- Timor-Leste

77. We congratulated Timor-Leste for the orderly and credible conduct of its presidential and parliamentary elections this year. We expressed confidence that the leadership of President Jose Ramos-Horta and the future Prime Minister of Timor-Leste would be able ensure the political and economic development of Timor-Leste, and enable the country to further deepen its relations with its neighbours in the region, especially with ASEAN Member Countries.

- Iraq

78. We voiced our deep concern over the continued instability in Iraq and reaffirmed our support for the Iraqi government and its efforts to ensure unity, security, stability, and prosperity in Iraq. Towards this end, we believe that the phased and calibrated withdrawal of foreign forces in Iraq, taking into account the conditions on the ground, will contribute towards bringing normalcy. We welcomed the outcomes of the international meetings in Baghdad and Sharm El-Sheikh towards expediting national reconciliation and reconstructions that is crucial to the attainment of peace, security and developments in Iraq.

- Middle East

79. We expressed deep concern over the situation in the Middle East and the need for substantial progress in the quest for a just, lasting and comprehensive peace in the Middle East. We welcomed the Quartet’s reaffirmation of their commitments made in Lisbon on 19 July 2007 to bring an end to the Israeli-Palestinian conflict and to undertake serious efforts towards the establishment of an independent, democratic, and viable Palestinian state living side by side with Israel in peace and security, as a step towards a comprehensive, just, and lasting peace in the Middle East, consistent with the Roadmap and UN Security Council resolutions. We expressed hope that the Palestinians would be able to forge unity among themselves in pursuit of these objectives.

80. We also expressed concern over the report of the Director-General of the International Atomic Energy Agency (IAEA) in May 2007 that Iran had not suspended its enrichment related activities. We urged Iran to comply with all relevant UN Security Council resolutions and IAEA requirements and resolutions. We were encouraged by the outcome of the recent meetings between the European Union and Iran to find a way to restart dialogue between the Permanent Members of the UN Security Council plus Germany and Iran. We expressed hope that they will settle all issues standing in the way of negotiations towards a peaceful solution to the Iran nuclear issue. We welcomed Iran's decision to grant IAEA inspectors access to the pilot fuel enrichment plant in Natanz and view such decision as a significant confidence-building measure on Iran's part, with a view to allowing the IAEA to conclusively determine the exclusively peaceful nature of Iran's nuclear programme. The Ministers stressed the urgent need for a diplomatic solution and a comprehensive arrangement with Iran, while respecting Iran's right to peaceful nuclear energy under safeguards and in accordance with its obligations under the Non-Proliferation Treaty.

- Korean Peninsula

81. We stressed that the denuclearization of the Korean Peninsula is essential in maintaining the peace and stability of the Asia Pacific region and expressed support for the peaceful resolution of the nuclear issue through dialogue and negotiation.

82. We welcomed the action taken by the Democratic People's Republic of Korea (DPRK) in shutting down the Yongbyon nuclear facility on 15 July 2007 and noted the report of the IAEA verifying the shutdown of the facility. We welcomed the announcement of the DPRK that it shall earnestly implement its commitments to a complete declaration of all nuclear programs and disablement of all nuclear facilities. We were pleased to learn that the DPRK is fully cooperative with the inspectors of the IAEA.

83. We reiterated our support for the Six-Party Talks and welcomed the agreements reached at the resumption of the latest round of talks from 18-20 July 2007 in Beijing, China, that Parties will earnestly fulfil their commitments in the Joint Statement of 19 September 2005 and the agreement of 13 February 2007. This positive development should be utilized as a strong drive of efforts to promote sustainable peace and security in the region. We also stressed the importance of addressing the humanitarian needs in the DPRK.

- Afghanistan

84. The Ministers strongly condemned the abduction and brutal killing of innocent civilians in Afghanistan and urged the immediate release of all remaining hostages.

- World Trade Organisation (WTO)

85. We recalled the ASEAN Leaders' declaration at the 12th ASEAN Summit calling for the resumption of the Doha Round. We reiterated ASEAN's preparedness to contribute constructively in all areas of the Doha negotiations, including the importance of the development dimension of the negotiations. We called on all WTO Members to push the Doha Development Agenda negotiations forward for the benefit of all Members, especially the developing Members.

86. We urged key members of the WTO to show the necessary leadership to hasten the negotiations and reiterated our commitment to support the efforts of the Chairs of the negotiating groups and the WTO Director-General to build consensus on an ambitious and balanced outcome. To this end, we strongly re-affirmed our

commitment to a successful completion of the Doha round negotiations this year.

87. We reiterated our support for the early accession of Lao PDR into the WTO. We warmly congratulated Viet Nam's accession to the WTO as its 150th member.

Cooperation with Regional Organisations

88. We agreed to pursue cooperation with other regional organisations that could complement ASEAN's objectives. We agreed to follow up on the results of the Meeting of the Foreign Ministers of ASEAN and the Gulf Cooperation Council (GCC) in September 2006 in New York, including the possible joint meeting of the Secretariats of ASEAN and the GCC and a study on the feasibility of having an ASEAN-GCC Free Trade Area. We further agreed to continue exploring concrete areas of cooperation with the Shanghai Cooperation Organisation in line with the decision of the Leaders at the 12th ASEAN Summit. We welcomed the interest of the League of Arab Nations to engage ASEAN and agreed to explore possible areas of cooperation between the two organizations.

INSTITUTIONAL MATTERS

Streamlining of ASEAN Meetings

89. We agreed to rationalise and streamline the ASEAN Summit and ASEAN Ministerial Meeting to improve the substance of those meetings and ensure the effectiveness of its deliberations by holding all ASEAN Post-Ministerial Conferences Plus One Sessions with our Dialogue Partners immediately after the annual ASEAN Ministerial Meetings starting from July 2008 in Singapore. We recommended that rationalization and streamlining of the meetings be also applied to ASEAN sectoral bodies.

Secretary-General of ASEAN

90. We expressed appreciation for the outstanding stewardship and contribution of H.E. Ong Keng Yong to ASEAN as the Secretary-General of ASEAN for the period 2003 to 2007. We endorsed Thailand's nomination of Dr. Surin Pitsuwan, former Foreign Minister of Thailand, for consideration of our Leaders at the 13th ASEAN Summit for his appointment as the new Secretary-General of ASEAN for the period 2008-2012.

41st AMM

91. We elected Singapore as the Chair of the 41st ASEAN Standing Committee and Thailand as the Vice-Chair. We look forward to the 41st ASEAN Ministerial Meeting / Post Ministerial Conferences / 15th ASEAN Regional Forum to be held in July 2008 in Singapore.

Annex 154

Association of Southeast Asian Nations, *Joint Communiqué: 41st ASEAN Ministerial Meeting* (21 July 2008)

Joint Communique of the 41st ASEAN Ministerial Meeting, “One ASEAN at the Heart of Dynamic Asia” Singapore, 21 July 2008

INTRODUCTION

1 We, the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN), met at the 41st ASEAN Ministerial Meeting (AMM) from 20-21 July 2008 in Singapore. His Excellency George Yeo, Minister for Foreign Affairs of Singapore and Chairman of the 41st ASEAN Standing Committee (ASC), chaired the Meeting. We had wide-ranging and productive discussions under the theme of “One ASEAN at the Heart of Dynamic Asia”, during which we reaffirmed our common desire and collective commitment to the establishment of an ASEAN Community of peace, stability, prosperity and social progress.

2 His Excellency Lee Hsien Loong, Prime Minister of Singapore, addressed the Opening Ceremony of the 41st AMM. Noting that the celebration of ASEAN’s 40th anniversary brought ASEAN closer to the people, Prime Minister Lee underlined that fostering our people’s understanding of ASEAN’s relevance to their well-being would nurture their sense of belonging to an ASEAN community. This in turn would be critical to our integration efforts.

3 Reviewing the past year under Singapore’s Chairmanship of ASEAN, Prime Minister Lee raised two events which he believed would continue to define ASEAN in the years ahead. First, ASEAN’s response to Cyclone Nargis demonstrated ASEAN’s unity, and showed that ASEAN member countries recognised the responsibilities and obligations of membership. While not perfect, the ASEAN-led tripartite process bridged the gap of trust between the Myanmar authorities and the international community to facilitate the flow of emergency aid to the disaster victims. Only the international community had the capacity to address the effects of Cyclone Nargis, and ASEAN welcomed Myanmar’s willingness to continue with the tripartite cooperation.

4 Prime Minister Lee also highlighted that the signing of the Charter would help realise the vision of a vibrant ASEAN Community by improving ASEAN’s record of implementation through a rules-based framework. He stressed that the timely ratification and implementation of the Charter would be a signal of ASEAN’s resolve.

5 Prime Minister Lee underscored that ASEAN could not take its relevance as the preferred platform for regional interactions for granted. While ASEAN members may be pre-occupied with pressing domestic issues, it was vital that we continue to move forward on ASEAN cooperation and integration, even if the pace may sometimes vary. A thriving ASEAN would be courted by the major powers as an economic power and valued as a partner for cooperation to deal with larger regional and global issues.

6 Prime Minister Lee also launched the ASEAN Studies Centre in the Institute of Southeast Asian Studies in Singapore. The Centre would work closely with the ASEAN Secretariat to undertake policy research on ASEAN that would help the organisation grow new capabilities, strengthen its institutions, and enhance cooperation among its members.

BUILDING AN ASEAN COMMUNITY

7 We are pleased with the progress in the implementation of the Leaders' decisions of the 13th ASEAN Summit in Singapore, and agreed to further intensify our integration efforts in all three pillars of the ASEAN Community to establish a people-oriented, caring and sharing ASEAN Community by 2015. We reaffirmed our resolve to pursue more region-wide cooperation programmes and activities geared towards accelerating the ASEAN Community-building process. We also reiterated the importance of maintaining ASEAN's central role in regional processes.

The ASEAN Charter

8 We stressed our full commitment to the realisation of the vision set out in the ASEAN Charter that was signed by our Leaders on the occasion of the 40th Anniversary of ASEAN last November. With our Statement on the ASEAN Charter issued on 21 July 2008, we reaffirmed the commitment by all Member States to ratify the ASEAN Charter by the 14th ASEAN Summit in Bangkok, and pledged to undertake all measures necessary to ensure expeditious implementation of the Charter.

9 We endorsed the Terms of Reference of the Committee of Permanent Representatives to ASEAN. We agreed that each ASEAN Member State would appoint their Permanent Representative to ASEAN at the level of Ambassador in Jakarta with effect from 1 January 2009.

10 We reaffirmed our commitment to the promotion and protection of human rights. We set up the High Level Panel on an ASEAN human rights body, and endorsed its Terms of Reference. We look forward to the High Level Panel's submission of its first draft of the Terms of Reference of an ASEAN human rights body at the 14th ASEAN Summit in December 2008 for our guidance and direction. We noted the reports of the 7th Workshop on ASEAN Regional Human Rights Mechanism in Singapore on 12-13 June 2008 and the Workshop on the Promotion and Protection of Human Rights in Bali on 15-17 May 2008. We further noted the work carried out by the non-governmental Working Group for an ASEAN Human Rights Mechanism, including the meeting between the open-ended SOM Troika and the Working Group on the sidelines of the 41st AMM with the objective of facilitating the implementation of the activities under the promotion of human rights component of the VAP.

11 We are committed to make ASEAN a more rules-based organisation. We established the High Level Legal Experts' Group on Follow Up to the ASEAN Charter and endorsed its Terms of Reference. We look forward to the first draft of recommendations on the legal personality of ASEAN, dispute settlement mechanisms and other legal issues by December 2008.

12 In view of the increase in ASEAN's activities with the coming into force of the ASEAN Charter, we noted the importance of strengthening the ASEAN Secretariat and agreed to provide it with adequate resources. We endorsed the recommendations of our Financial Experts Group. We requested for the Secretary-General to strengthen the Secretariat's internal systems, in particular its Staff Regulations and Financial Rules in order to put in place a more robust system of accountability and financial management. In addition, as one of the measures to strengthen the Secretariat, we agreed that the appointment of two additional Deputy Secretaries-General should be finalised by November 2008. We also tasked our officials to explore the idea of an ASEAN laissez-passer for ASEAN Secretariat staff as a valid travel document among ASEAN Member States.

Narrowing the Development Gap and Initiative for ASEAN Integration

13 We agreed to intensify our cooperation to Narrow the Development Gap (NDG) with a view to supporting ASEAN's integration efforts, which is of paramount importance to ASEAN community-building. This would also help to ensure the equitable economic development of the region and facilitate the attainment of the Millennium Development Goals (MDGs), which would in turn contribute to the well-being of the peoples of ASEAN. In this regard, we emphasised the key role of the Initiative for ASEAN Integration (IAI) in ASEAN's overall NDG efforts and look forward to the final draft of the 2nd IAI Work Plan for 2009-2015 by December 2008. We also noted with appreciation the support and contributions of ASEAN Member States and external partners to the implementation of the IAI.

14 We support programmes to uplift existing pockets of under-development in all parts of ASEAN, specifically in sub-regional areas including BIMP-EAGA and IMT-GT and Mekong sub-regional frameworks.

Vientiane Action Programme

15 We welcomed the progress achieved in the implementation of the Vientiane Action Programme (VAP). We tasked our officials to prepare a comprehensive review of the implementation of the Vientiane Action Programme to be undertaken in 2008.

16 Noting the adoption of the ASEAN Economic Community Blueprint at the 13th ASEAN Summit in Singapore last year, and the ongoing work to draft the Blueprints for the ASEAN Political-Security Community and ASEAN Socio-Cultural Community as well as the 2nd IAI Work Plan, we agreed to recommend to the ASEAN Leaders that these documents be issued as part of a declaration at the 14th ASEAN Summit.

ASEAN POLITICAL-SECURITY COMMUNITY

17 We are pleased with the positive developments in the establishment of the ASEAN Political-Security Community (APSC). We took note of the progress made in the drafting of the APSC Blueprint, and further noted that the Blueprint should be practical, substantive, action and results-oriented, and have a timetable. We look forward to its completion by the 14th ASEAN Summit in Bangkok, Thailand.

Treaty of Amity and Cooperation in Southeast Asia

18 We warmly welcome the impending accession by the Democratic People's Republic of Korea (DPRK) to the Treaty of Amity and Cooperation in Southeast Asia (TAC) as a strong signal of the DPRK's commitment to the peace and security of the region. We noted that the continuing interest in the TAC underscores its important role as a key code of conduct governing inter-state relations in Southeast Asia. We also called upon other countries, particularly our Dialogue Partners and other interested parties, to consider acceding to the TAC. In this regard, we will continue to work to facilitate the accession of the EU to the TAC in the near future.

Treaty on the Southeast Asia Nuclear Weapon-Free Zone

19 At the Meeting of the Commission on Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ) in Singapore on 21 July 2008, we welcomed the progress made in the implementation of the Plan of Action adopted by the SEANWFZ Commission in 2007, and reaffirmed the importance of persevering in our efforts to strengthen cooperation to implement the Treaty. We instructed our officials to continue to engage the Nuclear Weapons States, to secure their accession to the SEANWFZ Protocol as soon as possible. We elected Thailand as the incoming Chair of the Commission.

20 We reaffirmed the continuing importance of the Declaration on the Conduct of Parties in the South China Sea of 2002 (DOC) as a milestone document between ASEAN and China, embodying our collective commitment to ensure the peaceful resolution of disputes in the area. We believe that the Declaration has been effective in building mutual trust and confidence among the claimants in the area and in maintaining peace and stability in the region. We underscored the need to intensify efforts to move forward the implementation of the Declaration, including the early finalisation of the Guidelines on the Implementation of the DOC. We look forward to the eventual conclusion of a Regional Code of Conduct in the South China Sea.

21 We encouraged the continued exercise of self-restraint by all the parties concerned and the promotion of confidence-building measures in this area and welcomed their commitment to resolving disputes in the South China Sea by peaceful means in conformity with the spirit of the DOC and recognised principles of international law including the United Nations Convention on the Law of the Sea.

ASEAN Regional Forum

22 We reaffirmed the role of ASEAN as the primary driving force of the ASEAN Regional Forum (ARF) process and the ARF as the primary forum in enhancing political and security dialogue and cooperation in the Asia-Pacific region. We agreed that the ARF should undertake concrete cooperation to address the increasingly complex and multi-faceted security challenges confronting the region, through cooperation in areas such as counter-terrorism and transnational crime, non-proliferation and disarmament, maritime security, disaster relief, and combating communicable diseases. We also looked forward to the discussions at the upcoming 15th ARF on 24 July 2008, in particular, to have a comprehensive review of the ARF process and consider its future direction.

ASEAN Maritime Forum

23 We noted the Concept Paper for the Establishment of the ASEAN Maritime Forum, which could provide a platform for comprehensive deliberations and dialogues among relevant ASEAN bodies on maritime issues. We noted the offer by the Government of Indonesia to host the First Meeting of the ASEAN Maritime Forum in 2009.

Transnational Crimes

24 We reaffirmed our commitment to enhance further cooperation and to promote the entry into force of the ASEAN Convention on Counter Terrorism as soon as possible. We also recognized the process of developing an ASEAN Comprehensive Plan of Action on Counter-Terrorism by the SOMTC. We also recognized the increasing trend of the offences of trafficking in persons in our region. In this regard, we noted the AM-MTC's endeavour to explore the possibility of developing an ASEAN Convention on Trafficking in Persons. We noted ASEAN's efforts to enhance cooperation on the issue of extradition and noted with appreciation the convening of the Workshop held in Singapore on 22-23 May 2008.

ASEAN ECONOMIC COMMUNITY

25 We underscored ASEAN's commitment to establish a single market and production base characterised by a competitive economic region, with equitable economic development and one that is fully integrated into the global economy.

26 We welcomed the ongoing implementation of the ASEAN Economic Community (AEC) Blueprint, which was adopted by the Leaders at the 13th ASEAN Summit in Singapore in November 2007, and the imminent launch of the AEC Scorecard, a monitoring mechanism intended to help ensure compliance with the provisions of the AEC Blueprint. We noted the significant progress made in the areas of trade in goods, services and investment. We viewed these developments with satisfaction, as proof of ASEAN's commitment to maintain and strengthen its credibility and effectiveness, by transforming itself into a rules-based organisation.

27 We welcomed the progress in negotiations by the Transport Sectoral on the implementing Multilateral Agreements (MAs) for the Roadmap for the Integration of Air Travel Sector (RIATS). We welcomed the Joint Ministerial Statement of the 13th ASEAN Transport Ministers' Meeting in Singapore in November 2007, and looked forward to the signing of the ASEAN Multilateral Agreement on the Full Liberalisation of Air Freight Services and the Multilateral Agreement on Air Services by the ASEAN Transport Ministers.

ASEAN SOCIO-CULTURAL COMMUNITY

28 We underscored the importance of the ASEAN Socio-Cultural Community (ASCC) to address the region's aspiration to further improve the well-being of its peoples through investing in human resource development, enhancing food security and safety, protecting the environment, protecting people from natural disasters and infectious diseases, and pursuing cooperative activities that are people-oriented. The ASCC shall lay the foundation for greater understanding and good neighbourliness, and build a shared sense of identity and responsibility in ASEAN. We were pleased with the progress made in the drafting of the ASCC Blueprint and looked forward to the adoption of an action-oriented and substantive document by the 14th ASEAN Summit in Bangkok, Thailand.

29 We expressed our satisfaction at the fast-growing people-to-people linkages, especially among our youths, as we continue to build deeper understanding, friendship and mutual respect among our countries. We commended the efforts and initiatives of the ASEAN Member States in promoting greater ASEAN awareness and strengthening existing cultural links through projects like the "ASEAN Quest" video game, the "Trail of Civilisation" and the "Best of ASEAN Performing Arts", which aim to regularly showcase ASEAN's best arts and cultural performances to regional and international audiences. We looked forward to the celebration of ASEAN Day on 8 August by all ASEAN Member States.

30 We further stressed the need to integrate education priorities into ASEAN's development agenda, and hone the skills and talents of our peoples to boost the region's overall competitiveness, in order to reap the fruits of globalisation.

31 We expressed our satisfaction with the progress made in the implementation of the Guidelines for the Provision of Emergency Assistance by ASEAN Missions in Third Countries to Nationals of ASEAN Member States in Crisis Situations, following our July 2006 Statement on this issue.

Energy, Environment, Climate Change and Sustainable Development

32 We stressed the need to address the issues of energy security, sustainable agriculture and environmental protection in a comprehensive manner. We expressed our appreciation for the efforts undertaken by the relevant ASEAN Sectoral Bodies to follow up on the outcomes of the Leaders' discussions at the 13th ASEAN Summit and related meetings on the theme of "Energy, Environment, Climate Change and Sustainable Development". We encouraged the relevant ASEAN Sectoral Bodies to develop concrete programmes and activities to implement measures and enhance international and regional cooperation to combat transboundary environmental pollution, including haze pollution, through, among other things, capacity building, en-

hancing public awareness, strengthening law enforcement, promoting environmentally sustainable practices, as well as combating illegal logging and its associated illegal trade.

Disaster Management

33 We are pleased to note that the ASEAN Humanitarian Task Force had effectively delivered humanitarian assistance to the victims and survivors of Cyclone Nargis. This first ASEAN-led mechanism involving ASEAN Member States individually and collectively, as well as the United Nations and the international community, had brought positive results. The post-cyclone emergency relief operations have underlined the urgency for ASEAN to further strengthen cooperation in mitigating large-scale disaster situations. As we strengthen our collective efforts in disaster management, we should maintain credibility by ensuring more open access and accountability. We acknowledged ASEAN Member States' contributions and sharing of experiences from the post-tsunami relief and recovery efforts in extending humanitarian assistance to Myanmar. We also expressed appreciation to the ASEAN Humanitarian Task Force and the Tripartite Core Group for their dedication and hard work in discharging their tasks. We welcomed the release of the Post-Nargis Joint Assessment (PONJA) report. We agreed that the ASEAN-led mechanism should continue for another year until 2009 to support the humanitarian effort in Myanmar.

34 Recognising Southeast Asia as one of the most natural disaster prone regions, we reaffirmed our commitment to intensify our cooperation as well as with other countries and international organisations in the areas of disaster relief and management. In this regard, we called for the full ratification of the ASEAN Agreement on Disaster Management and Emergency Response (AADMER), which provides for effective regional mechanisms to mitigate the impact of disasters in the region. We also looked forward to the operationalisation of the ASEAN Standby Arrangements and Standard Operating Procedures and commended the efforts of the interim ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre) in Jakarta. We called upon the relevant Sectoral Bodies and the ASEAN Secretariat to work towards the establishment of a fully functional AHA Centre.

Culture and Information

35 We also expressed satisfaction at the significant number of projects and activities that were implemented in the culture and information sectors to promote the rich and vast cultures of ASEAN, and looked forward to the new ASEAN Anthem, which will be chosen through an ASEAN-wide competition organised by Thailand with the support of the ASEAN Committee on Culture and Information (COCI).

Labour

36 We look forward to the convening of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers before the 14th ASEAN Summit in Bangkok in December 2008, pursuant to the Declaration which our Leaders signed on 13 January 2007 in Cebu, and our Statement of 30 July 2007 on the Establishment of the ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers. We expressed support for the Philippines' hosting of the 2nd Meeting of the Global Forum on Migration and Development in October 2008 with the theme "Protecting and Empowering Migrants for Development".

EXTERNAL RELATIONS

37 We agreed to continue strengthening ASEAN's relations with our external partners. We underscored the importance of further deepening and broadening our cooperation in various fields with our Dialogue Partners

as a critical part of ASEAN's efforts to build a closely integrated community. In particular, we looked forward to the appointment of ambassadors to ASEAN from Dialogue Partners.

38 We agreed that our cooperation with Dialogue Partners should focus on key areas such as energy and food security, terrorism and transnational crimes, poverty reduction, sustainable forest management and climate change, communicable diseases and disaster relief and response.

39 We reiterated our commitment to push ahead with the FTA negotiations with Australia and New Zealand, the EU and India. We also welcomed the progress made in the ongoing negotiations on the investment agreements with China and the Republic of Korea, and looked forward to the early entry into force of the ASEAN-Japan Comprehensive Economic Partnership Agreement. Besides economic benefits, the FTAs between ASEAN and its Dialogue Partners are also strategic linkages that will bind our regions even closer together.

40 We agreed that we should conclude as soon as possible the MOU on the Second Phase of the ASEAN-Australia Development Cooperation Programme (AADCP II). We took note that the AADCP II would focus on strengthening the ASEAN Secretariat's institutional capacity to effectively implement its mandate as well as supporting regional mechanisms and capacity for implementation of ASEAN Economic Community Blueprint activities.

41 We looked forward to the finalisation of the MOU on the establishment of the ASEAN-China Centre to further deepen our cooperation in all areas.

42 We looked forward to the launch of the ASEAN-Korea Centre to further enhance our cooperation in the areas of trade, investment, tourism and cultural exchange by end 2008. We supported the proposal to convene an ASEAN-ROK Commemorative Summit in 2009 to celebrate the 20th anniversary of relations between ASEAN and the Republic of Korea.

43 We also looked forward to adopting the Roadmap on the Implementation of the ASEAN-Russia Comprehensive Programme of Action, at this year's ASEAN Post Ministerial Session with Russia. We expressed confidence that this Roadmap will help to promote mutual understanding, increase people-to-people interaction and facilitate cooperation projects between ASEAN and Russia.

44 We noted the launch of the ASEAN Development Vision to Advance National Cooperation and Economic Integration (ADVANCE) programme initiated by the US in February 2008. The ADVANCE programme sets to implement the goals of the ASEAN-US Cooperation Plan, the ASEAN-US Enhanced Partnership, the ASEAN-US Trade and Investment Framework Arrangement (TIFA) and the Vientiane Action Programme (VAP). We also welcomed the appointment of the first US Ambassador for ASEAN Affairs.

45 We expressed our appreciation to India for its contribution of US\$1 million to operationalise the ASEAN-India Science and Technology Fund, which demonstrated India's firm commitment to further its cooperation with ASEAN. We expressed our readiness to work closely with India to expeditiously establish the initiative on ASEAN-India Green Fund. We looked forward to the implementation of more collaborative projects between ASEAN and India in this area.

46 We recalled the adoption of the 2nd Joint Statement on East Asia Cooperation and the ASEAN Plus Three Cooperation Work Plan (2007 - 2017) at the 11th ASEAN Plus Three Summit in Singapore. In this regard, we welcomed the completion of the Terms of Reference for the ASEAN Plus Three Cooperation Fund and

looked forward to the establishment of the Fund. We expressed confidence that the priority areas set out in the Cooperation Work Plan can be implemented without delay.

47 Recalling our Leaders' substantive discussions at the 3rd East Asia Summit in Singapore, we reaffirmed the value of continued cooperation within the EAS. As the EAS develops, we stressed the importance of ensuring follow-up actions in areas as mandated by the Leaders. We looked forward to the upcoming EAS Foreign Ministers' Informal Consultations on 22 July 2008 as an opportunity to discuss regional and international issues, and consider the future direction of the EAS.

48 We welcomed the enhancement of the ASEAN-UN Partnership which has been marked by events such as the signing of the Memorandum of Understanding in September 2007 and the ASEAN-led humanitarian assistance for the victims of Cyclone Nargis. We recommended the convening of the 3rd ASEAN-UN Summit back-to-back with the 14th ASEAN Summit in Bangkok in December 2008.

49 We agreed to pursue cooperation with other regional organisations that could complement ASEAN's objectives. In this regard, we welcomed the invitation from Brazil, the pro tempore president of MERCOSUR, to attend the inaugural ASEAN-MERCOSUR Ministerial Meeting in Brasilia on 24 November 2008. We looked forward to the meeting that would deepen the engagement between both sides. We also looked forward to the convening of a full-fledged ASEAN-Gulf Cooperation Council Ministerial Meeting in Thailand in 2009 to take ASEAN-GCC relations in the areas of inter alia, trade and investment, tourism, and energy security to a higher plane.

Developments in Myanmar

50 We took note of the briefing by Myanmar on the recent developments in the process of national reconciliation and its peaceful transition to democracy, as envisaged in the roadmap to democracy; in particular, the adoption of the State Constitution of 2008 by referendum. We urged Myanmar to take bolder steps towards a peaceful transition to democracy in the near future, and working towards the holding of free and fair General Elections in 2010. While recognising the steps undertaken by the Government of Myanmar to conduct meetings with all concerned parties, including the NLD leadership, we reiterated our calls for the release of all political detainees, including Daw Aung San Suu Kyi, to pave the way for meaningful dialogue involving all parties concerned.

51 We recognised the fact that Myanmar has tried to address many and complex challenges. We reaffirmed our commitment to remain constructively engaged with Myanmar as part of building the ASEAN Community. We encouraged Myanmar to continue to work closely with the Good Offices of the UN Secretary-General and his Special Advisor Ibrahim Gambari in ensuring an inclusive process towards national reconciliation. In this regard, we welcomed Myanmar's agreement to the upcoming visits of Mr. Tomas Ojea Quintana, Special Rapporteur on the situation of human rights in Myanmar in August 2008, and Professor Ibrahim Gambari in August 2008, and reiterated our call for Myanmar to extend its full support for their missions.

REGIONAL AND INTERNATIONAL ISSUES

Food and Energy Security

52 We discussed how the mounting challenge posed by rising oil and food prices poses a serious challenge to our peoples' welfare as well as our countries' continued economic development. On the issue of food security, we affirmed that access to adequate and reliable supply of staples, and stable prices were fundamental to the region's economic and social well-being. To address rising food prices, we stressed the importance of

regional and international efforts to ensure the efficient functioning of market forces, as well as to come up with longer term agricultural solutions. We encouraged all countries to do away with price-distorting export subsidies and other protectionist policies and to provide market access to competitive food exports.

53 We are concerned that the recent volatility and rise of oil prices has adversely affected our economies. We reiterated the need for regional and international efforts to ensure the efficient functioning of market forces and to enhance the region's energy security in a sustainable manner through greater cooperation measures such as improving energy efficiency and conservation.

Financial Cooperation

54 We exchanged views on the global financial situation, especially in the wake of last year's sub-prime mortgage crisis. While the risk of sudden rapid deterioration in the near term has somewhat abated, we stressed the importance of ensuring sound fiscal and monetary policies.

Cross-Strait Relations

55 We welcomed the positive development in relations across the Taiwan Strait. We expressed our hope that cross-Strait relations would continue to improve.

Korean Peninsula

56 We reaffirmed that the denuclearisation of the Korean Peninsula is essential in maintaining peace and security in the region, and expressed our full support for the Six-Party Talks to continue its deliberations in resolving the North Korean nuclear issue. We noted the political will of relevant parties to implement their respective commitments and welcomed the convening of the meeting of the Foreign Ministers of the Six-Party Talks at the sidelines of the 15th ARF.

Iraq

57 We remained concerned over the continued violence in Iraq despite recent indications that the security situation has improved. We strongly urged all parties to resolve their political differences peacefully and work towards durable peace and security in the country. We were encouraged by the resilience of the Iraqi people and reaffirmed our support for the national reconciliation process aimed at constructing a unified and stable Iraq. To this end, we voiced strong support for the efforts of the Iraqi Government to conduct provincial polls in October 2008 as part of its nation building efforts.

Middle East

58 We were encouraged by the diplomatic efforts to move all tracks of the peace process forward in the quest for a just, lasting and comprehensive peace in the Middle East. We urged the Israeli and Palestinian sides to continue efforts towards reaching an agreement consistent with the Roadmap and UN Security Council resolutions. We welcomed the Israel-Hamas ceasefire of 19 June 2008 and the efforts at brokering the deal. We encouraged the Palestinians to forge unity amongst themselves in pursuit of an independent, democratic and viable Palestinian state living side-by-side with Israel in peace and security.

59 We further welcomed the election of the new president of Lebanon and hope that all parties would be able to resolve their differences to ensure a stable and secure Lebanon.

60 We urge the continuation of renewed Israel-Syria indirect talks to contribute towards achieving lasting peace and stability in the Middle East.

61 We welcomed the convening of the Ministerial Meeting of the New Asian African Strategic Partnership on Capacity-building for Palestine in Jakarta on 14 July 2008 organised jointly by the Government of Indonesia and the Government of South Africa. We welcomed the outcome of the Meeting which shows our commitment to assist the Palestinian people.

Asia-Middle East Dialogue (AMED)

62 We welcomed the successful second meeting of the Asia-Middle East Dialogue (AMED II) in Sharm El Sheikh, Egypt from 5-6 April 2008. We commend Egypt's chairmanship of AMED II, which has sustained the momentum and interest of Asia and the Middle East in strengthening ties and deepening engagement to foster greater mutual understanding and cooperation. We also welcomed Thailand's offer to host the next AMED meeting, and Singapore's proposal to host an AMED Media Roundtable in 2009.

World Trade Organisation

63 We note that there is a WTO Ministerial Meeting taking place in Geneva on 21 July 2008. It is important that the meeting be able to push forward the negotiations for the Doha Development Agenda for the benefit of all WTO members. We also expressed our support for the early accession of the Lao PDR into the WTO.

42nd ASEAN MINISTERIAL MEETING

64 We elected Thailand as the Chair of the 42nd ASC and Viet Nam as the Vice-Chair. We looked forward to the 42nd AMM/PMC/16th ARF to be held in July 2009 in Thailand.

Annex 155

Association of Southeast Asian Nations, *Joint Communiqué: 42nd ASEAN Foreign Ministerial Meeting*
(20 July 2009)



<http://www.asean.org/communities/asean-political-security-community/item/joint-communique-of-the-42nd-asean-foreign-ministers-meeting-acting-together-to-cope-with-global-challenges-phuket-thailand-20-july-2009>

Joint Communiqué of the 42nd ASEAN Foreign Ministers Meeting "Acting Together to Cope with Global Challenges" Phuket, Thailand, 20 July 2009

INTRODUCTION

1. We, the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN) met at the 42nd ASEAN Foreign Ministers Meeting (AMM) from 19-20 July 2009 in Phuket, Thailand. His Excellency Kasit Piromya, Minister of Foreign Affairs of Thailand and Chairman of ASEAN, chaired the Meeting. We had extensive, open and fruitful discussions under the theme of "Acting Together to Cope with Global Challenges".

2. His Excellency Abhisit Vejjajiva, Prime Minister of Thailand, addressed the Opening Ceremony of the 42nd AMM. He underlined the need for ASEAN Member States to fully translate the spirit and letter of the ASEAN Charter into concrete actions with a view to realising an ASEAN Community by 2015. He also emphasised that cooperation with ASEAN Dialogue Partners should be further strengthened to be able to effectively respond to current and future challenges including the impact of the global economic and financial crisis, environmental and natural disaster as well as potential pandemics and other security issues.

ASEAN COMMUNITY BUILDING

3. We welcomed the progress made in our community-building process highlighted by the entry into force of the ASEAN Charter on 15 December 2008. We reaffirmed our resolve to further intensify our efforts to realise an ASEAN Community that is politically cohesive, economically integrated and socially responsible.

4. We also reviewed the follow-up actions to our Leaders' decisions during the 14th ASEAN Summit in Cha-am Hua Hin, particularly the implementation of the Cha-am Hua Hin Declaration on the Roadmap for an ASEAN Community 2009-2015.

5. We reiterated our commitment to promote greater participation by our people in the ASEAN community-building process. In this connection, we were pleased with the outcomes of the Informal Meetings between our Leaders and the representatives from various groups, namely the ASEAN Inter-Parliamentary Assembly (AIPA), youth and civil society organisations from ASEAN Member States during the 14th ASEAN Summit in Cha-am Hua Hin.

6. We underscored the importance of enhancing ASEAN's central role in the regional architecture. In this regard, we agreed to review regularly our efforts to enhance our resilience, competitiveness and responsiveness, so that ASEAN can remain the primary driving force in our region.

ASEAN Charter

7. We noted with satisfaction the efforts and progress in the implementation of the ASEAN Charter. In this connection, we welcomed the establishment of the Committee of Permanent Representatives to ASEAN (CPR) in Jakarta and endorsed its Rules of Procedure (ROP). The CPR will be instrumental in strengthening cooperation among ASEAN Member States, improving coordination with the ASEAN Secretariat and enhancing relations with our external partners. We also welcomed the restructuring of ASEAN Secretariat.

8. We were pleased with our fruitful meeting with the High Level Panel on an ASEAN human rights body (HLP), during which we endorsed the Terms of Reference for the ASEAN human rights body. We agreed to name this body the ASEAN Intergovernmental Commission on Human Rights. We commended the HLP for completing its task and agreed to recommend to the ASEAN Leaders to launch the ASEAN Intergovernmental Commission on Human Rights at the 15th ASEAN Summit in October 2009. We entrusted the HLP to draft the political declaration for the launch of the ASEAN

Intergovernmental Commission on Human Rights.

9. We welcomed the progress made by the High Level Legal Experts' Group on Follow-up to the ASEAN Charter (HLEG). We considered and endorsed the HLEG's recommendation on the legal personality of ASEAN and approved a referendum on a draft agreement on privileges and immunity of ASEAN. We agreed to extend the mandate of HLEG to finalise dispute settlement mechanisms and other legal issues under the ASEAN Charter for our consideration at the 15th ASEAN Summit in October 2009.

Narrowing the Development Gap and Initiative for ASEAN Integration

10. We agreed to intensify our efforts in narrowing the development gap in ASEAN to enhance ASEAN integration. In this connection, we welcomed the Initiative for ASEAN Integration (IAI) Work Plan II for the period 2009-2015 which was approved by our Leaders during the 14th ASEAN Summit. The Work Plan, together with the three ASEAN Community Blueprints, will help move forward the community-building process in a more balanced, inclusive and sustainable manner.

11. We also expressed appreciation to our Dialogue Partners and other international institutions for their support and contributions to the IAI. We called for further strengthening of the cooperation between ASEAN and its Dialogue Partners in narrowing the development gap including ASEAN subregional development programmes.

12. We also welcomed the adoption of the Joint Declaration on the Attainment of the Millennium Development Goals in ASEAN by our Leaders at the 14th ASEAN Summit, which reflects the need to narrow the development gap to enhance ASEAN regional cooperation and integration.

ASEAN POLITICAL-SECURITY COMMUNITY (APSC)

13. We reaffirmed our commitment to implement the ASEAN Political-Security Community (APSC) Blueprint adopted by our Leaders during the 14th ASEAN Summit in Cha-am Hua Hin. This Blueprint envisages ASEAN to be a rules-based Community of shared values and norms in a just, democratic and harmonious environment; a cohesive, peaceful, stable and resilient region with shared responsibility for comprehensive security; as well as a dynamic and outward-looking region in an increasingly integrated and interdependent world. We noted that an APSC Communication Plan is being developed and encouraged its early completion and implementation with a view to bringing the APSC Blueprint to our peoples. Treaty of Amity and Cooperation in Southeast Asia (TAC)

14. We warmly welcomed the impending accession by the United States of America to the Treaty of Amity and Cooperation in Southeast Asia (TAC) as a strong signal of its commitment to peace and security in the region.

15. We also looked forward to the signing of the Third Protocol amending the TAC to enable the EU/EC to accede to the TAC in the future.

ASEAN Regional Forum (ARF)

16. We reaffirmed the role of ASEAN as the primary driving force of the ASEAN Regional Forum (ARF) process and the ARF as the primary forum in enhancing political and security dialogue and cooperation in the Asia-Pacific region.

17. In this regard, we welcomed the 15th Anniversary of the ARF and its achievements to date. We looked forward to the adoption of the ARF Vision Statement at the 16th ARF which would set a clearer direction for the ARF to effectively contribute to strengthening peace, security and stability in the region. We also look forward to the development of works plan to implement the ARF Vision Statement and on preventive diplomacy.

Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ)

18. We reviewed the implementation of the Plan of Action of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ) and agreed to exert greater efforts to ensure that various programmes and activities indicated in the Plan of Action are carried out.

19. We also agreed to continue to engage with the Nuclear Weapon States to encourage them to accede to the SEANWFZ Protocol as soon as possible.

20. We welcomed Viet Nam as the incoming Chair of the SEANWFZ Commission starting January 2010.

South China Sea

21. We reaffirmed the continuing importance of the Declaration on the Conduct of Parties in the South China Sea of 2002 (DOC) as a milestone document between ASEAN and China, embodying our collective commitment to ensure the peaceful resolution of disputes in the area. We believe that the Declaration has been effective in building mutual trust and confidence among the claimants in the area and in maintaining peace and stability in the region. We underscored the need to intensify efforts to move forward the implementation of the Declaration, including the early finalisation of the Guidelines on the Implementation of the DOC. We looked forward to the eventual conclusion of a Regional Code of Conduct in the South China Sea.

22. We encouraged the continued exercise of self-restraint by all the parties concerned and the promotion of confidence-building measures in this area and welcomed their commitment to resolving disputes in the South China Sea by peaceful means in conformity with the spirit of the DOC and recognised principles of international law including the United Nations Convention on the Law of the Sea.

ASEAN ECONOMIC COMMUNITY (AEC)

23. We welcomed the ongoing implementation of the ASEAN Economic Community (AEC) Blueprint and the improvement of the AEC Scorecard to serve as a monitoring mechanism to identify specific actions that must be undertaken by ASEAN collectively or by ASEAN Member States individually in implementing the AEC Blueprint.

24. We appreciated the signing of the ASEAN Trade in Goods Agreement (ATIGA), the ASEAN Comprehensive Investment Agreement (ACIA), the Sectoral Mutual Recognition Arrangement (MRA) on Good Manufacturing Practice (GMP) Inspection of Manufacturers of Medicinal Products, and the Protocol of the 7th Package of AFAS commitments at the sidelines of the recent 14th ASEAN Summit. We recognised that these agreements contain a number of key features that would enhance transparency, certainty and predictability in the ASEAN legal framework and enhance ASEAN's rules-based system, which is of importance to the ASEAN business community and consumers.

25. We underscored the importance that the benefits of economic integration be quickly accrued to the people of ASEAN through timely implementation of the provisions of the AEC Blueprint and the AEC Communication Plan. We further underlined the need to foster a strong partnership among the public and private sector and the ASEAN Secretariat in order to collectively act as a driving force to accelerate the realisation of our commitments towards achieving the AEC by 2015.

ASEAN SOCIO-CULTURAL COMMUNITY (ASCC)

26. We reaffirmed our commitment to the ASEAN Socio-Cultural Community Blueprint adopted at the 14th ASEAN Summit in Cha-am Hua Hin. We acknowledged the contribution of the ASEAN Socio-Cultural Community (ASCC) in realising an ASEAN Community that is people-centred and socially responsible with a view to achieving enduring solidarity and unity among the nations and peoples of ASEAN by forging a common identity and building a caring and sharing society which is inclusive and harmonious where the well-being, livelihood, and welfare of the peoples are enhanced.

27. We looked forward to the Inaugural Meeting of the ASEAN Socio-Cultural Community Council (ASCC) to be held on 23-24 August 2009 in Bangkok, Thailand.

BUILDING REGIONAL RESILIENCE

Economic and Financial Stability

28. We expressed concern over the impacts of the global economic and financial crisis on trade, investment and socio-economic development in the region. We reiterated our commitment to implementing necessary measures to overcome the crisis guided by the Press Statement on the Global Economic and Financial Crisis issued by our Leaders in Cha-am Hua Hin in March 2009 including macroeconomic policy coordination, standing firm against protectionism, implementing the ASEAN Economic Community Blueprint, and intensifying efforts for a strong Doha Development Agenda outcome.

29. We welcomed the Joint Press Statement on ASEAN+3 Cooperation in Response to Global Economic and Financial Crisis issued by ASEAN Plus Three Leaders on 3 June 2009 in Bangkok under which ASEAN and our Plus Three Partners agreed to strengthen the regional self-help financial mechanism through the establishment of a regional pooling reserve arrangement under the Chiang Mai Initiative Multilateralisation (CMIM) with the total fund of USD 120 billion. In this regard, we looked forward to the launching of the CMIM by the end of 2009 as agreed upon by the ASEAN+3 Finance Ministers' Meeting in Bali on 3 May 2009. We also welcomed the agreement of the ASEAN Plus Three Finance Ministers to develop a regional surveillance mechanism to monitor and analyze regional economies and support the CMIM

decision-making.

30. We also welcomed the Joint Press Statement of the East Asia Summit on the Global Economic and Financial Crisis issued by EAS Leaders on 3 June 2009 in Bangkok under which ASEAN and our EAS Partners agreed to stand firm against protectionist and distortionary measures, support the agreement at the G-20 London Summit, stress the importance of international cooperation to develop concrete measures to alleviate the impact of the crisis, strengthen the region's growth potential and expand demand, and support efforts by export credit agencies (ECAs), international financial institutions and private banks to ensure adequate finance for business and trade.

Food and Energy Security

31. We recognised the paramount importance of food and energy security for sustainable economic growth in the region. We also underlined the need to address these inter-related issues in a comprehensive manner. In this connection, we recalled the signing of the ASEAN Petroleum Security Agreement and the adoption of the Statement on Food Security in the ASEAN Region by our Leaders at the 14th ASEAN Summit in Cha-am Hua Hin as measures to ensure food and energy security in the region.

32. We agreed that well functioning markets are keys to ensuring stable energy and food supply. We agreed to further enhance our cooperation in exploring alternatives to conventional energy resources, while taking into account the potential impact on agricultural land for food crops. We also supported enhanced cooperation in staples and food products in a manner that will reduce trade and market distortion and ensure food availability in the region.

Sustainable Development, Environment and Climate Change

33. We recognised that climate change constitutes a major threat to sustainable development and requires urgent concerted and coordinated actions at national, regional and international levels.

34. We emphasised that the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol are the main channels for international negotiations and cooperation on the issue of climate change. In this connection, we reaffirmed our commitment to the objectives, purposes and principles of the UNFCCC and the Kyoto Protocol, including the principles of common but differentiated responsibilities and respective national circumstances and capabilities. We also pledged to work closely together and with other Partners for a successful conclusion of the Copenhagen Conference of State Parties to the UNFCCC.

35. We welcomed sub-regional cooperation among ASEAN Member States such as cooperation among Mekong River Countries and encouraged them to further strengthen cooperation in areas of mutual interests, including sustainable development and water resource management.

Disaster Management

36. We were pleased with the progress made in the post-Nargis recovery efforts under the ASEAN-led mechanism in Myanmar and had fruitful discussion on the recommendations by the Secretary-General of ASEAN as the Chairman of the ASEAN Humanitarian Task Force for the Victims of Cyclone Nargis (AHTF).

37. Considering that the mandate ends in July 2010, we tasked the AHTF and the TCG to review the Post-Nargis Recovery and Preparedness Plan (PONREPP) to take into consideration priority deliverables for the next twelve months. In this regard, we agreed that our continued support for Myanmar will focus on livelihoods, shelter, health, education and disaster risk reduction. We also tasked the AHTF and the TCG to work closely with the relevant government ministries to facilitate access for genuine or bona fide humanitarian workers to support recovery work in the Nargis-affected areas.

38. We called upon the AHTF to work closely with the ASEAN Committee on Disaster Management (ACDM) to document and institutionalise the good practices from the post-Nargis operations to strengthen the implementation of the ASEAN Agreement on Disaster Management and Emergency Response (AADMER) and the operationalisation of the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre).

39. We also welcomed the designated role of the Secretary-General of ASEAN as ASEAN's humanitarian assistance coordinator.

Pandemic Diseases

40. We reaffirmed our collective efforts to enhance regional capabilities in surveillance, preparedness and response to pandemic diseases.

41. We welcomed the successful outcome of the ASEAN Plus Three Health Ministers Special Meeting on Influenza A (H1N1) held in Bangkok on 8 May 2009. We underlined the need to fulfill our commitments under the Joint Ministerial Statement including the continuous implementation of national pandemic preparedness plans, strengthening surveillance and responses, and effective communication especially within the public realm to avoid panic and social disruption. We also stressed the need to enhance cooperation to produce affordable vaccines for Influenza A (H1N1).

42. We encouraged the relevant Sectoral Bodies to explore possible establishment of research and manufacturing facilities and arrangements in the region to combat future disease outbreaks.

EXTERNAL RELATIONS

43. We reaffirmed our commitments to ensure that ASEAN remains an outward-looking community through enhancing engagement and cooperation with our external partners.

44. We welcomed the appointment of Ambassadors to ASEAN from our Dialogue Partners and other Non-ASEAN Member States as an indication of their commitment to enhance cooperation with ASEAN. We endorsed the procedures for the accreditation of Ambassadors to ASEAN from Non-ASEAN Member States and Relevant Inter-governmental Organisations.

45. We welcomed the signing of the MOU on the Second Phase of the ASEAN-Australia Development Cooperation Program (AADCP II), valued at AUD 57 million, in further supporting ASEAN in implementing its economic integration priorities and policies, in line with the AEC Blueprint.

46. We looked forward to the adoption of the Joint Declaration on the ASEAN-Canada Enhanced Partnership which would give the new impetus for both ASEAN and Canada to elevate and enhance relations in all areas of cooperation. We looked forward to working closely with Canada to formulate the Plan of Action for the ASEAN-Canada Enhanced Partnership.

47. We appreciated China's active role in developing transportation infrastructure between ASEAN and China and welcomed the establishment of the US\$ 10 billion ASEAN-China Fund for Investment Cooperation which will significantly contribute to the completion of transportation links in the region. We looked forward to the signing of ASEAN-China Investment Agreement at the ASEAN Economic Ministers Meeting in August 2009. Upon the completion of the ASEAN-China Free Trade Area, we believed that there is a need to explore ways and means to further strengthen ASEAN-China economic cooperation in all dimensions. We welcomed China's plan to provide US\$ 15 billion commercial credit, including US\$ 1.7 billion preferential loans, to ASEAN Member States in the next 3-5 years.

48. We reaffirmed the importance of the ASEAN-EU cooperation and relations, and emphasised the need to further strengthen ASEAN-EU dialogue on the basis of equal partnership and mutual benefit. In this regard, we were satisfied with the successful conclusion of the 17th ASEAN-EU Ministerial Meeting in Phnom Penh, Cambodia on 27-28 May 2009, particularly the endorsement of the Phnom Penh Agenda (2009-2010).

49. We welcomed the resolution of the remaining technical issues under the ASEAN-India Trade in Goods Agreement and looked forward to its signing at the earliest opportunity. We are confident that the Agreement will allow our producers, exporters and consumers to derive full benefits from the potential of our combined markets.

50. We appreciated Japan's endeavour to support the ASEAN community building process and the narrowing of development gap. We welcomed Prime Minister Taro Aso's "Growth Initiative towards Doubling the Size of Asia's Economy" to overcome the current global economic slowdown and financial situation and prevent the region from future crises. We also recognised the need to exert greater effort to expand our trade and investment through the ASEAN-Japan Closer Economic Partnership (AJCEP) Agreement. We appreciated Japan's financial contribution of US\$ 62 million to Japan-ASEAN Integration Fund (JAIF) as emergency assistance to the ASEAN Member States affected by the global economic slowdown, as well as US\$ 13.5 million for cooperation on disaster management.

51. We welcomed the successful outcome of the ASEAN-Republic of Korea (ROK) Commemorative Summit celebrating the 20th Anniversary of ASEAN-ROK dialogue relations on 1-2 June 2009, on Jeju Island, and the signing of the ASEAN-ROK Investment Agreement. We also agreed to enhance our cooperation with the ROK to realise the various targets set forth by our Leaders including the increase in two-way trade volume to US\$ 150 billion by 2015 through the ASEAN-ROK

FTA. We welcomed the ROK's initiative to establish US\$ 200 million East Asia Climate Change Partnership Fund and its commitment to allocate US\$ 100 million from this Fund to the ASEAN Member States to deal with climate change.

52. We welcomed the signing of the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area during the 14th ASEAN Summit on 27 February 2009 in Cha-am Hua Hin which was a milestone for dialogue relations.

53. We reiterated our commitment to the realisation of the Roadmap on the Implementation of the ASEAN-Russia Comprehensive Programme. We also looked forward to the signing of the Memorandum of Understanding on the Establishment of the ASEAN Centre in Moscow with a view to launching the Centre at Moscow State University of International Relations (MGIMO) later this year. We noted the outcome of ASEAN-Russia SOM held in Manila in April 2009, including the proposed convening of the 2nd ASEAN-Russia Summit and the decision to establish a working group to identify concrete deliverables of the Summit.

54. We welcomed the renewed interest of the United States in promoting peace and security in Southeast Asia through its impending accession to the TAC. We also welcomed the adoption of the revised Priorities for Cooperation under the ASEAN-US Enhanced Partnership which would reinvigorate the cooperation between ASEAN and the US and contribute positively to ASEAN's community building efforts. ASEAN would work closely with the US towards the successful conclusion of the ASEAN-US Science and Technology Agreement.

55. We welcomed the endorsement of the Guidelines for the Implementation of the Second Joint Statement on East Asia Cooperation and the ASEAN Plus Three Cooperation Work Plan. The Guidelines will help accelerate the implementation of the Joint Statement and the Work Plan in a more effective and comprehensive manner. We also noted the completion of the establishment of the ASEAN Plus Three Cooperation Fund with an initial amount of US\$ 3 million. We noted the progress of the Phase II feasibility study of East Asia Free Trade Area (EAFTA) and looked forward to the submission of the final report to the 12th ASEAN Plus Three Summit in October 2009.

56. We welcomed the encouraging development of the EAS in East Asia's evolving regional architecture. To follow up on the Leaders' instruction at the 3rd East Asia Summit, we tasked our officials to work with ASEAN Secretariat to consider possible structures to better coordinate the EAS process in order to allow it to respond to the emerging challenges. We appreciated the important role played by Economic Research Institute for ASEAN and East Asia (ERIA) in supporting ASEAN integration. We noted the progress of the Phase II feasibility study of Comprehensive Economic Partnership in East Asia (CEPEA) and looked forward to the submission of the final report to the 4th East Asia Summit in October 2009. We also welcomed Singapore's offer to host the 2nd EAS Environmental Ministers' Meeting in October 2009.

57. We welcomed the outcome of the 1st ASEAN-GCC Ministerial Meeting on 29-30 June 2009 in Manama, Bahrain, including the adoption of the ASEAN-GCC Joint Vision and the signing of the Memorandum of Understanding between the ASEAN Secretariat and the GCC Secretariat.

58. We welcomed the outcome of the 1st ASEAN-MERCOSUR Ministerial Meeting on 24 November 2008 in Brasilia, Brazil, and tasked our officials to prepare a region to region roadmap and action plan on issues of mutual interest.

59. We expressed our appreciation to the ASEAN Country Coordinators for the ASEAN Dialogue Partners 2006-2009 for taking overall responsibility in coordinating and promoting the interests of ASEAN in its relations with the relevant Dialogue Partners. In this connection, we were pleased to announce the new ASEAN Country Coordinatorship for 2009-2012 and reiterated our support for them in fulfilling their responsibilities as the Country Coordinators for the respective Dialogue Partners.

REGIONAL AND INTERNATIONAL ISSUES

Korean Peninsula

60. We recalled the statement by our leaders in June 2009 in which they reiterated the condemnation of the recent underground nuclear test and missile launches undertaken by the Democratic People's Republic of Korea (DPRK), which constitute clear violations of the Six-Party Agreement and relevant UN Security Council resolutions, including UNSC Resolution 1874.

61. We urged the DPRK to fully comply with its obligations and relevant UNSC resolutions. We also urged all concerned Parties to return to the Six-Party Talks process as soon as possible and fully implement their commitments made in previous rounds of the Six-Party Talks, which remains the main mechanism for achieving peace and stability in the Korean Peninsula.

62. We believed that the ASEAN Regional Forum, which includes ASEAN and all participants of the Six-Party Talks, can play a positive and proactive role in promoting peace and stability in the Korean Peninsula. We encouraged all concerned parties to actively pursue this objective.

Middle East

63. We discussed the situation in the Middle East and emphasized the need to ensure long-term peace, security and stability in the region. We called for a final, just and comprehensive settlement with the realization of two states, Israel and Palestine, living side by side in peace within secured and recognized borders, based on the Roadmap, the relevant United Nations Security Council (UNSC) Resolutions as well as the Arab Peace Initiatives.

64. We were encouraged by the pronouncement of the United States recently relating to the Middle East Peace Process, given the active role it plays in addressing the conflict. We expressed our hope that the United States and other members of the Quartet would continue to exert their influence to further encourage the parties concerned to restart negotiations on the Peace Process.

65. We reiterated our call for the unimpeded access of humanitarian assistance to the Palestinian people in Gaza in order to help alleviate their plight. In this regard, we expressed our concern that the border crossings into Gaza has not been opened to allow humanitarian aid and basic supplies to be provided to the people of Gaza.

Combating Terrorism/Extremism

66. We strongly condemned the bombings in Jakarta on 17 July 2009, which caused loss of innocent lives and injuries. We extended our solidarity to Indonesia and affirm our confidence in the Indonesian Government to bring perpetrators, organizers, financiers and sponsors of these reprehensible acts of terrorism to justice. We also reiterated our commitment to strengthen all efforts to combat terrorism/extremism in the region. In this connection, we encouraged ASEAN Member States that have not done so to ratify the ASEAN Convention on Counter Terrorism (ACCT). We also stressed, among others, the need to empower moderate sectors of society and the promotion of inter-faith dialogue. In this regard, we expressed support for the Philippines' hosting of the Special NAM Ministerial Meeting on Inter-faith Dialogue and Cooperation for Peace in December 2009.

Nuclear Disarmament

67. We took note of encouraging developments on nuclear disarmament in various fora and in particular welcomed the preliminary bilateral agreement between the United States of America and the Russian Federation to reduce their nuclear arsenals. We recalled the commitment of the People's Republic of China on its position not to be the first to use nuclear weapon. At multilateral level, we hope that all participating countries in the Conference on Disarmament, would resume the negotiation of nuclear disarmament as called for in Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). We also looked forward to the convening of the Review Conference of State Parties to NPT in 2010 for the realization of the objectives and principles enshrined in the NPT in a balanced manner and agreed to support and work closely with the Philippines' presidency of the Review Conference.

Developments in Myanmar

68. We took note of the briefing by Myanmar on the recent visit of the United Nations Secretary-General Ban Ki-moon to Myanmar. We encouraged the Myanmar Government to hold free, fair and inclusive elections in 2010, thereby laying down a good foundation for future social and economic development. In this regard, recalling the ASEAN Leaders' Statement on 19 November 2007, we reiterated our calls on the Government of Myanmar to immediately release all those under detention, including Daw Aung San Suu Kyi, thereby paving way for genuine reconciliation and meaningful dialogue involving all parties concerned and with a view to enabling them to participate in the 2010 General Elections.

69. Myanmar expressed its view that pressure from the outside and economic sanctions were hampering Myanmar's democratization and development efforts. Recognising the fact that the Myanmar Government has been trying to address many complex challenges, we remained constructively engaged with Myanmar as part of the ASEAN Community building process. We continued to support the ongoing good offices of the United Nations Secretary-General and welcomed Myanmar's assurances to cooperate fully with the United Nations.

Human Trafficking

70. We recognised the cross-regional dimension of the problem of human trafficking and reiterated the need to further enhance the cooperation among countries of origin, transit and destination. We also stressed the need for all parties concerned to address the root causes of human trafficking such as by developing the necessary capacities and institutions.

71. We welcomed the continued efforts undertaken at the regional level in addressing the issue of human trafficking. In this connection, we welcomed the outcome of the 3rd Bali Regional Ministerial Conference (3rd BRMC) on People Smuggling, Trafficking in Persons and Related Transnational Crime on 14- 15 April 2009 in Bali, Indonesia. We recognised that the problem of human trafficking should be addressed cooperatively and comprehensively.

43rd ASEAN MINISTERIAL MEETING

72. We looked forward to the 43rd AMM/PMC/17th ARF to be held in July 2010 in Viet Nam.

Annex 156

Association of Southeast Asian Nations, *Joint Communiqué: 43rd ASEAN Foreign Ministers Meeting*
(20 July 2010)



<http://www.asean.org/communities/asean-political-security-community/item/joint-communique-of-the-43rd-asean-foreign-ministers-meeting-enhanced-efforts-towards-the-asean-community-from-vision-to-action-ha-noi-19-20-july-2010-3>

from Vision to Action” Ha Noi, 19-20 July 2010

INTRODUCTION

1. We, the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN), met at the 43rd ASEAN Foreign Ministers Meeting (AMM) from 19-20 July 2010 in Ha Noi, Viet Nam. His Excellency Pham Gia Khiem, Deputy Prime Minister and Minister of Foreign Affairs of Viet Nam and Chairman of ASEAN, chaired the Meeting. We had extensive, open and fruitful discussions to advance further ASEAN's common efforts under the theme of the year 2010 **"Towards the ASEAN Community: from Vision to Action "**.
2. His Excellency Nguyen Tan Dung, Prime Minister of the Socialist Republic of Viet Nam, attended the Opening Ceremony of the 43rd AMM and delivered his Opening Address.
3. Highlighting great achievements so far in moving towards the ASEAN Community and important decisions made at the recent 16th ASEAN Summit in Ha Noi, Prime Minister Nguyen Tan Dung suggested 5 major areas that ASEAN Foreign Ministers could focus on, namely: i) undertaking concrete and feasible measures to accelerate the implementation of the Roadmap for the ASEAN Community by 2015 and other important plans, bringing the ASEAN Charter into full realisation as soon as possible and further promoting the "compliance culture" to ensure effective and timely implementation of ASEAN's agreements; ii) further enhancing the role of ASEAN as the primary driving force for dialogue and cooperation on regional political security issues with a view to maintaining regional peace and stability; iii) broadening and deepening ASEAN's external relations through frameworks of ASEAN+1, ASEAN+3, EAS and ARF, based on the guiding principle of serving the objective of ASEAN Community building and maintaining ASEAN centrality; iv) intensifying cooperation and coordination at regional and international levels to effectively address global challenges, especially the current global financial crisis, climate change, disaster management and disease control; v) enhancing ASEAN's cohesiveness and unity, upholding ASEAN's fundamental principles and "ASEAN way" in handling all issues of concern.

ASEAN COMMUNITY BUILDING

4. We noted with appreciation the successful outcome of the 16th ASEAN Summit in Ha Noi on 8-9 April 2010, which gave strong impetus to the efforts of building a resilient, dynamic and sustained ASEAN Community. We reaffirmed our commitment to effectively implementing the decisions made by our Leaders, especially in expediting the process of ASEAN Community building and maintaining ASEAN centrality in an evolving regional architecture.
5. We were pleased with the significant progress made in implementing the Roadmap for ASEAN Community and the ASEAN Charter and reaffirmed our strong commitment to realising the ASEAN Community by 2015, which is politically cohesive, economically integrated and socially responsible.
6. We welcomed the adoption of the Communication Plans of all the three pillars of the ASEAN Community, and tasked the Committee of Permanent Representatives to ASEAN (CPR) to work in close coordination with the ASEAN Secretariat to come up with a Master Communication Plan synergising all the three Communication Plans in order to enhance ASEAN's coordination to promote the people's greater awareness and participation in the ASEAN Community building process.

ASEAN Charter

7. We welcomed the speedy progress in implementing the ASEAN Charter, which constitutes the legal and institutional framework for the ASEAN Community and beyond. We noted with pleasure the smooth and effective functioning of the new organs and structures under the ASEAN Charter, especially the four Ministerial Councils and the CPR.
8. We noted with satisfaction the significant progress of the work of the CPR in supporting ASEAN to become a more rules-based intergovernmental organisation by concluding various guidelines, terms of reference (TORs) and rules of procedures (ROPs). We were pleased to adopt the TORs and ROP for the ASEAN Committees in Third Countries and International Organisations (ACTC) at this 43rd AMM. We noted with appreciation that the Guidelines on the Use of the "ASEAN" name, Guidelines on the Use of ASEAN Emblem, Guidelines on the use of the ASEAN Anthem and the ASEAN

Secretariat Financial Rules and Procedure (AFRP) prepared by the CPR have been adopted at the Sixth Meeting of the ASEAN Coordinating Council (ACC) in April 2010. We encouraged the CPR to continue its important work in implementing the ASEAN Charter by finalising the remaining guidelines, TORs, and ROPs expeditiously.

9. We reaffirmed the role of the ASEAN Intergovernmental Commission on Human Rights (AICHR) as the overarching institution for regional cooperation in human rights. We commended the AICHR's efforts in finalising the Five-year Work Plan (2010-2015), which would lay out relevant practical programmes and activities for AICHR to carry out its mandate and functions. In this connection, we approved the high priority programmes and activities (2010-2011) of AICHR together with the indicative budget for that period, and requested AICHR to finalise and submit the indicative budget for the cycle of five years for us to adopt the Five-Year Work Plan (2010-2015). We stressed the importance of ensuring the effective operation of AICHR and the proper alignment with AICHR of ACWC and other ASEAN sectoral bodies dealing with human rights in conformity with the Terms of Reference of AICHR.

10. We were pleased with the progress that had been made in developing legal documents necessary for the full and effective implementation of the Charter. We tasked the senior officials to continue to work on these remaining legal documents with the aim of finalizing them by the 17th ASEAN Summit in October 2010.

11. We further stressed the importance of bringing the ASEAN Charter into full realisation in all aspects while upholding the principles of the Charter, and therefore committed ourselves to working closely with relevant sectoral bodies in the three Community Councils to improve the working methods and complete a full legal framework for the ASEAN Charter.

Roadmap for an ASEAN Community

12. Noting with satisfaction the significant progress achieved in the implementation of the ASEAN Political-Security Community (APSC) Blueprint, we agreed to further accelerate the implementation process, particularly the programmes/activities in the 14 priority areas. We underscored the importance of enhancing the coordination amongst the various sectoral bodies under this pillar to promote an integrated approach in dealing with overlapping issues.

13. We were pleased to note that ASEAN Member States have been effectively implementing the programmes and measures of the ASEAN Economic Community (AEC) Blueprint with a view to achieving the AEC by 2015. We called on ASEAN Member States to further intensify efforts in intra-ASEAN economic integration and in implementing all economic integration commitments in accordance with the agreed timelines.

14. We noted with satisfaction remarkable progress made in the implementation of ASEAN Socio-Cultural Community (ASCC) Blueprint, particularly in enhancing social welfare and development for women and children, responding to climate change and disasters, developing human resources, promoting ASEAN identity and awareness. We welcomed the outcome of the 3rd ASCC Council Meeting, particularly the practical measures which would raise the awareness of ASEAN in the region and the world and create greater sense of belonging of our peoples to the ASEAN Community and protect our cultural identity and diversity.

15. We welcomed the progress report of the High Level Task Force on ASEAN Connectivity (HLTF-AC) and were heartened to note that the HLTF-AC is on track for the completion of the Master Plan on ASEAN Connectivity by the 17th ASEAN Summit. We thanked the partner agencies, namely the Economic Research Institute for ASEAN and East Asia (ERIA), the Asian Development Bank (ADB), the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) and World Bank for the assistance rendered in the drafting of the Master Plan. We also called for support from our Dialogue Partners, international organisations and other partners, for the ASEAN Connectivity Initiative and look forward to their future participation in the implementation of the Master Plan once it is adopted.

16. We were pleased with the progress in implementing the Initiative for ASEAN Integration (IAI) Work Plan II (2009-2015). The effective implementation of the Work Plan, together with the three ASEAN Community Blueprints, will help move forward the community-building process in a more balanced, inclusive and sustainable manner. In this connection, we welcomed the outcome of the IAI Task Force Meetings on the IAI Work Plan II. We encouraged Dialogue Partners and Development Partners to actively contribute towards ensuring the fruitful outcome of the 3rd IAI Development Cooperation Forum (IDCF-3) scheduled to be held later in 2010.

17. Fully aware of the great importance and necessity of narrowing the development gap among Member States in the ASEAN Community building process, we agreed to further intensify our efforts in narrowing the development gap in ASEAN to enhance ASEAN integration. Together with the implementation of the IAI, we agreed to strengthen cooperation in sub-regional areas including Mekong sub-regional frameworks (AMBDC, CLV, CLMV, ACMECS, GMS), BIMP-EAGA,

IMT-GT, and others.

ASEAN Centrality in an Evolving Regional Architecture

18. We stressed the importance to maintain ASEAN centrality in the evolving regional architecture. To this end, we agreed to intensify our efforts to accelerate ASEAN's integration and community building while proactively broadening and deepening ASEAN's external relations and strengthening ASEAN's role as the primary driving force in the existing regional mechanisms. We reaffirmed our Leaders' guiding principles that any new regional framework or process should be complementary to and built upon existing regional mechanisms and the principle of ASEAN centrality. We also emphasised the need to develop ASEAN's common strategies and stance vis-à-vis important partners and important regional and global issues.

19. We envisaged that ASEAN Community building would contribute to the building of a community in the wider region. We also reiterated that the regional architecture should be inclusive and be able to sustain the dynamic equilibrium of the region. The regional architecture must be shaped by harmony and cooperation in promoting regional peace, stability and prosperity.

20. We welcomed the expressed interest of the Russian Federation and the United States to join the East Asia Summit (EAS). We agreed to recommend to ASEAN Leaders at the 17th ASEAN Summit in Ha Noi in October 2010 to formally make the decision on inviting the Russian Federation and the United States to join the EAS with appropriate arrangements and timing. Such arrangements should be based on the promotion of existing EAS agenda and priorities. In this connection, we reaffirmed ASEAN centrality as well as the established objectives and principles of the EAS as a Leaders-led forum.

21. We welcomed the outcome of the 4th ASEAN Defence Ministers' Meeting (ADMM) on 11 May 2010 in Ha Noi which contributes to further strengthening defence dialogue and cooperation in ASEAN. In this connection, we supported the 4th ADMM's decision to convene the first ADMM Plus in Ha Noi in October 2010. We reaffirmed the importance of the ADMM Plus as an important component of a robust, effective, open and inclusive regional security architecture that would complement the work of the ASEAN Regional Forum and help ensure ASEAN centrality in regional efforts to deal with security issues.

ASEAN POLITICAL-SECURITY COMMUNITY (APSC)

Treaty of Amity and Cooperation in Southeast Asia (TAC)

22. We welcomed the accession by Canada and Turkey to the Treaty of Amity and Cooperation in Southeast Asia (TAC) as a strong signal of their commitment to strengthening cooperation with ASEAN and to peace and security in the region.

23. We welcomed the signing of the Third Protocol amending the TAC scheduled to take place on 23 July 2010. The entry into force of the Protocol will provide a more inclusive nature to the TAC, enabling accession by, not only states but also regional organisations whose members are Sovereign States. We looked forward to its full ratification by all the High Contracting Parties and the early accession of EU/EC to the TAC once the Third Protocol enters into force.

24. Noting the request by some other countries to accede to the TAC, we tasked our senior officials to consider this matter in line with the Guidelines for Accession to the TAC and submit their recommendation to us. We further noted the need to implement the APSC Blueprint in Strengthening Cooperation under the TAC.

Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ)

25. We underscored the importance of preserving Southeast Asia as a Nuclear-Weapon-Free Zone and free of all other weapons of mass destruction as enshrined in the ASEAN Charter and the SEANWFZ Treaty. We reviewed the implementation of the Plan of Action to Strengthen the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ) and agreed to exert greater efforts to ensure that various programmes and activities indicated in the Plan of Action are carried out. We agreed to continue to engage with the Nuclear Weapon States to encourage them to accede to the SEANWFZ Protocol as soon as possible.

26. We noted with satisfaction the progress in the implementation of the Plan of Action to strengthen the SEANWFZ Treaty by the adoption of the 64th UNGA Resolution on SEANWFZ. We agreed that the threats of nuclear proliferation, wherever their sources are, must be effectively addressed without discrimination or any double standard.

27. We commended Viet Nam as the Chair of ASEAN in raising the profile of the SEANWFZ in multilateral fora including the 2010 NPT Review Conference and the 2nd Conference of States Parties and Signatories to Treaties that establish NWFZ and Mongolia in New York this year and looked forward to the SEANWFZ interacting closely with interested Parties including other NWFZs to promote the goals of the NPT in our region and beyond. We welcomed Indonesia as the incoming Chair of the SEANWFZ Commission starting from January 2011 and her initiation to ratify the Comprehensive Nuclear Test Ban Treaty (CTBT) .
South China Sea

28. We reaffirmed the importance of the Declaration on the Conduct of Parties in the South China Sea (DOC) as a milestone document between ASEAN and China, embodying the collective commitment to promoting peace, stability and mutual trust and to ensuring the peaceful resolution of disputes in the area. We underscored the need to intensify efforts to ensure the effective implementation of the Declaration and looked forward to the eventual conclusion of a Regional Code of Conduct in the South China Sea (COC). In this connection, we welcomed the reconvening of the Meeting of the ASEAN – China Joint Working Group on the Implementation of the DOC in April, 2010 in Ha Noi and tasked our Senior Officials to work closely with their Chinese counterparts to reconvene the ASEAN – China Senior Officials' Meeting on the DOC at the earliest opportunity.

29. We further stressed the importance of maintaining peace and stability in the South China Sea and encouraged the continued exercise of self-restraint by all the parties concerned and the promotion of confidence-building measures in this area. We emphasised the importance of all parties to respect the freedom of navigation in and over-flight above the South China Sea as provided for by the universally recognised principles of international law. We welcomed the commitment of all the parties concerned to resolving disputes in the South China Sea through peaceful means in conformity with the spirit of the DOC and recognised principles of international law, including the United Nations Convention on the Law of the Sea (UNCLOS 1982).

ASEAN Regional Forum (ARF)

30. We reaffirmed the role of the ARF as the primary forum at the Foreign Ministers' level in enhancing political and security dialogue and cooperation in the Asia-Pacific region, and ASEAN as the primary driving force of the ASEAN Regional Forum (ARF) process.

31. Reaffirming the importance of realising the ARF Vision Statement which sets out the ARF's vision of a peaceful and stable Asia-Pacific region, its purposes, functions and direction up to the year 2020, we looked forward to the adoption of the Ha Noi Plan of Action to implement the ARF Vision Statement at the 17th ARF which, inter alia, contains policy guidance for the ARF to further develop and implement concrete and practical actions. We also looked forward to the effective implementation of the Ha Noi Plan of Action and other ARF work plans, thus contributing to preserving peace and security in the region and to promoting the ARF as an effective entity and a key pillar in the evolving regional security architecture. We commended all efforts in the ARF to pursue preventive diplomacy (PD) at a pace comfortable to all Participants, while maintaining the mainstream of confidence building measures (CBM), and supported the initiative to develop an ARF Work Plan on PD in the following inter-sessional year.

Non-traditional security issues

32. Noting with satisfaction ASEAN's ongoing cooperation in non-traditional security issues, we resolved to further enhance greater interaction and cooperation among relevant agencies of ASEAN Member States in addressing non-traditional security issues, particularly counter terrorism and transnational crimes, and maritime security. In this regard, we fully supported the implementation of the ASEAN Convention on Counter-Terrorism and its Comprehensive Plan of Action and encouraged the remaining ASEAN Member States to ratify as soon as possible the ASEAN Convention on Counter Terrorism (ACCT). We agreed to task our senior officials to continue the work to finalise the ASEAN Declaration on Humanitarian Assistance to People and Vessels in Distress at Sea. We also tasked our senior officials to work closely with relevant sectoral bodies to help address these non-traditional security issues. We noted Viet Nam's proposal to host a Meeting of the ASEAN Chiefs of Homeland Security (MACHOS).

ASEAN Security Outlook

33. We took note of the Regional Seminar on the Preparation of an ASEAN Security Outlook (ASO) held on 7-8 June 2010 in Bali as an effort to implement the APSC Blueprint. The proposed Standardized ASO Format and the Work Plan as the outcomes of the Seminar shall be further deliberated by the Senior Officials.

ASEAN Maritime Forum

34. We welcomed the offer by Indonesia to host the 1st ASEAN Maritime Forum (AMF) scheduled to be held on 28-29 July 2010 in Surabaya-Indonesia. The AMF is intended to promote and develop common understanding and cooperation among ASEAN Member States on trans-boundary maritime issues.

ASEAN ECONOMIC COMMUNITY (AEC)

35. We welcomed the entry into force of the ASEAN Trade in Goods Agreement (ATIGA) on 17 May 2010 and encourage ASEAN Member States to ensure the entry into force of the ASEAN Comprehensive Investment Agreement (ACIA) by August 2010. We believed that the 4th AEC Council Meeting and the 42nd AEM Meeting scheduled for 24-25 August 2010 in Da Nang - Viet Nam would bring about additional and more effective measures to realise the AEC by 2015

36. We welcomed the outcome of the 14th ASEAN Finance Ministers Meeting in Nha Trang and were pleased with the entry into force of the Chiang Mai Initiative Multilateralisation (CMIM) Agreement on 24 March 2010 and the proposed establishment of the Credit Guarantee and Investment Facility (CGIF). To further expedite the AEC building process, we reiterated the importance of implementing measures consistent with the timelines in the AEC Blueprint.

37. We highly valued the participation of Viet Nam, in her capacity as Chairman of ASEAN, to the G-20 Summit in Canada from 26-27 June 2010. In this regard, we extended our appreciation to Viet Nam for her efforts to coordinate a common ASEAN position at the G-20 Summit in Canada, which had helped to raise ASEAN's profile at this important forum. We looked forward to the participation of the ASEAN Chairman at the forthcoming G-20 Summit in the ROK later this year and reiterated our strong support for the regularisation of the participation of ASEAN Chairman in the future G-20 Summits.

ASEAN SOCIO-CULTURAL COMMUNITY (ASCC)

38. We welcomed the 21st ASEAN Labour Ministers Meeting (ALMM) in Ha Noi on 24th May 2010, which discussed a wide range of strategic issues and emerging policies on human resources development, employment, social protection, industrial relations, and migrant workers; and adopted two milestone documents on regional cooperation, namely, the ASEAN Guidelines on Good Industrial Relations Practices, and the ASEAN Labour Ministers' Work Programme 2010-2015, which supports the realisation of the goals of the ASEAN Community by 2015. As mandated by the Leaders, we supported the decision made by ALMM that the Drafting Team of the ASEAN Instrument on the Protection and Promotion of the Rights of Migrant Workers should continue its work using innovative approaches to reach consensus.

39. Bearing in mind that human resource is one of the decisive factors for the success of the ASEAN Community building, we noted with appreciation the efforts of the SLOM in drafting the Joint Statement on Human Resources and Skills Development for Economic Recovery and Growth to be submitted to the ASEAN Leaders for adoption at the 17th ASEAN Summit.

40. Recognising the need to continue to tap on the important role of women and children in community building, we noted with appreciation the progress made in drafting the Declaration on the Enhancement of Welfare and Development of ASEAN Women and Children to be submitted to the ASEAN Leaders for adoption at the 17th ASEAN Summit.

41. We welcomed the inauguration of the ASEAN Commission on the Promotion and Protection of Women and Children (ACWC) on 7 April 2010 in the occasion of the 3rd ASCC Council Meeting back-to-back with the 16th ASEAN Summit in Ha Noi as another concrete manifestation of ASEAN's endeavour to promote and protect human rights in the region, especially of women and children. At the same time, we looked forward to the proper alignment of the ACWC with AICHR.

42. We welcomed the entry into force of the ASEAN Agreement on Disaster Management and Emergency Response (AADMER) on 24 December 2009 and appreciated the work being carried out by the ASEAN Committee on Disaster Management (ACDM) in preparing for the establishment and the adoption of the AADMER Work Programme 2010-2015 in March 2010. We also noted the significant work of the ASEAN Committee on Disaster Management towards the realisation of a fully operational ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (AHA Centre) that will be established in Jakarta in the first half of 2011.

43. We noted with satisfaction the completion report of the ASEAN Humanitarian Task Force for the Victims of Cyclone Nargis in Myanmar (AHTF), and agreed to conclude the mandate of the ASEAN-led post-Nargis coordination in Myanmar, and to officially end the operations of the AHTF and the Tripartite Core Group (TCG) in Myanmar by 31 July 2010. We recognized the assistance and cooperation rendered by the Government and people of Myanmar in these

efforts. We underlined the importance to institutionalise the experience and knowledge gained and agreed that the AHA Centre to be established in Jakarta and the ASEAN Secretariat should be the repository of good practices and lessons learnt. We also expressed our highest appreciation and gratitude to the United Nations, Dialogue Partners of ASEAN, donor agencies/countries and the international community for their generous contributions and full support to the ASEAN-led post-Nargis operation in Myanmar. We noted that the Ministry of Social Welfare, Relief and Resettlement of the Government of Myanmar will take over the responsibility of coordinating and utilizing assistance from the international community in the post-Nargis recovery efforts.

44. In addressing the continuing threat of pandemic diseases, we stressed the need to continue efforts in setting up an ASEAN mechanism to deal with prevention, control, preparedness, and response to pandemic diseases in the region. We noted that the ASEAN Health Ministers will be endorsing the ASEAN Regional Work Plan on Health Development which includes elements on establishing an ASEAN mechanism to address pandemics and emerging infectious diseases. We also noted that there is an on-going consultation to create coordination linkage between animal and human health to ensure coherent strategy in confronting the challenges posed by emerging infectious diseases.

45. We acknowledged with appreciation the progress of implementation of the ASEAN Plan of Action on Science and Technology and welcomed the efforts of Committee on Science and Technology (COST) to formally establish S&T cooperation with Japan through the ASEAN-Japan Cooperation Committee on Science and Technology (AJCCST) and with the European Commission (EC) through the ASEAN-EC Dialogue Meeting on Science and Technology. We welcomed the concerted efforts of COST in finalising the roadmaps for the flagship programmes in Early Warning Systems for Disaster Risk Reduction; Bio fuel; Development and Application of Open Source Systems; Functional Food; Climate Change; and Health. We noted that the flagship programmes will contribute to and complement the efforts of other sectoral bodies in addressing common challenges that occur across national boundaries.

EXTERNAL RELATIONS

46. We noted with satisfaction significant progress in ASEAN's cooperation with Dialogue Partners within the frameworks of ASEAN+1, ASEAN+3, EAS and ARF. We welcomed Russia's and the US's expressed willingness to engage more closely with ASEAN and the region. We reaffirmed ASEAN's commitment to be an outward-looking community through further enhanced engagement and cooperation with our external partners.

47. We highly appreciated and looked forward to the continued cooperation and assistance by our Dialogue Partners to ASEAN in the community-building process, narrowing the development gap, enhancing intra-ASEAN connectivity and ASEAN's cooperation with partners to promote a future East Asian connectivity and beyond, developing human resources, and enhancing regional capabilities to cope with global challenges. We also thanked Dialogue Partners for their support for ASEAN's central role in the existing regional cooperation frameworks as well as in an evolving regional architecture.

48. We welcomed the 33 Ambassadors of non-ASEAN Member States currently accredited to ASEAN. We also welcomed and approved the proposed accreditation of 11 new Ambassadors of non-ASEAN Member States to ASEAN. This increasing accreditation of non-ASEAN Ambassadors to ASEAN reflects the successful implementation of ASEAN policy of engagement with our external partners.

49. We looked forward to the convening of the ASEAN-Australia Summit back-to-back with the 17th ASEAN Summit. The Summit would be a good opportunity for ASEAN and Australia to take stock of our dialogue cooperation and further deepen cooperation in areas of mutual interest. We welcomed the contributions of Australia through the ASEAN-Australia Development Cooperation Program Phase II (AADCP II) in supporting the ASEAN in implementing economic integration policies and priorities, in line with the AEC Blueprint.

50. We looked forward to the adoption of the Plan of Action to Implement the Joint Declaration on the ASEAN-Canada Enhanced Partnership (2010-2015) which will further strengthen substantive cooperation between both sides. We also looked forward to the successful conclusion of the ASEAN-Canada Trade and Investment Framework Arrangement (TIFA) in order to enhance economic cooperation and trade facilitation between both sides.

51. We reaffirmed our commitments to ensure the successful conclusion of the Plan of Action to implement the Joint Declaration on the ASEAN-China Strategic Partnership for Peace and Prosperity for the period of 2005-2010 and agreed to develop a new Plan of Action for the period of 2011-2015 to submit to the Leaders for their adoption at the 13th ASEAN-China Summit in Ha Noi in October. We recalled the signing of the Memorandum of Understanding on the establishment of the ASEAN-China Centre in Beijing last October and looked forward to the early operation of the Centre.

ASEAN would work closely with China in undertaking meaningful activities to commemorate the 20th anniversary of the ASEAN-China Dialogue Relations (1991-2011).

52. We welcomed the outcome of the 18th ASEAN-EU Ministerial Meeting on 26 May 2010 in Madrid, in which the Ministers agreed to further strengthen relations between the two regions through deepening political engagement and developing comprehensive co-operation, based on the Plan of Action to Implement the Nuremberg Declaration on an ASEAN-EU Enhanced Partnership for the period 2007-2012.

53. We looked forward to the adoption of the ASEAN-India Plan of Action to implement the ASEAN-India Partnership for Peace, Progress and Shared Prosperity (2010-2015), which would serve as a key instrument to make ASEAN-India cooperation more action-oriented. We would work closely with India to establish an EPG to take stock of the 20 years of ASEAN-India cooperation and chart future direction of ASEAN-India dialogue relations in the long run. We also looked forward to the convening of the ASEAN-India Commemorative Summit in 2012 in India to mark 20 years of ASEAN-India Dialogue Relations.

54. We appreciated Japan's assistance to narrow the development gap and support ASEAN integration based on ASEAN-Japan Strategic Partnership (Mekong-Japan Summit, BIMP-EAGA, IMT-GT and "Growth Initiative towards Doubling the Size of Asia's Economy"). We welcomed the Third Mekong-Japan Ministerial Meeting in July 2010.

55. We looked forward to the convening of the ASEAN-New Zealand Commemorative Summit back-to-back with the 17th ASEAN Summit, which would further broaden and deepen the cooperation between ASEAN and this important Dialogue Partner. We looked forward to the adoption of the Joint Declaration for an ASEAN-New Zealand Comprehensive Partnership and the Plan of Action to implement the Joint Declaration for an ASEAN-New Zealand Comprehensive Partnership 2010-2015 at the ASEAN PMC +1 with New Zealand on 22nd July 2010.

56. We noted with satisfaction the maturity and growing partnership between ASEAN and the Republic of Korea (ROK). Therefore, we supported the elevation of the ASEAN-ROK relations from a comprehensive cooperation partnership towards a strategic partnership. In this connection, we took note of the progress made in drafting a Joint Declaration on the Strategic Partnership for Peace and Prosperity and a Plan of Action to Implement the Joint Declaration on the ASEAN-ROK Strategic Partnership to be submitted to the Leaders for their adoption at the 13th ASEAN-ROK Summit in Ha Noi this year.

57. We looked forward to the convening of the Second ASEAN-Russian Federation Summit back-to-back with the 17th ASEAN Summit in Ha Noi in October. We took note of the progress made in drafting an ASEAN-Russian Federation Joint Statement which will be adopted by the Second ASEAN-Russian Federation Summit. We looked forward to the meaningful activities to celebrate the 15th Anniversary of ASEAN-Russian Federation Dialogue Relations in 2011.

58. We looked forward to the convening of the Second ASEAN-US Leaders' Meeting later this year and noted the progress of its preparation, including the drafting of the proposed outcome documents, namely, the Joint Statement, the Terms of Reference of the ASEAN-US Eminent Persons Group, and the ASEAN-US Agreement on Science and Technology Cooperation. We welcomed the convening of the Second Lower Mekong-US Ministerial Meeting that aims to further develop the lower Mekong basin.

59. We looked forward to the organisation of the 3rd ASEAN-UN Summit back-to-back with the 17th ASEAN Summit in Ha Noi, which would further enhance cooperation between ASEAN and the UN, particularly on matters related to the global financial crisis, reform of international financial institutions, nuclear non-proliferation and disarmament, disaster management, peace-keeping, climate change, development cooperation, and the attainment of the Millennium Development Goals.

60. We welcomed the adoption of the ASEAN-GCC Two-Year Action Plan (2010-2012) at the 2nd ASEAN-GCC Ministerial Meeting in Singapore, 31 May- 1 June 2010 to enhance cooperation in the areas of trade and investment, economic and development, education, culture and information, and implementation mechanisms.

61. Recognising that ASEAN Plus One FTAs have provided substantial market access for ASEAN exports to our major trading partners, we welcomed the realisation of the ASEAN-China and the ASEAN-Korea Free Trade Agreements (FTA), the entry into force of the ASEAN-Australia-New Zealand FTA (AANZFTA) and the Trade in Goods Agreement under the ASEAN-India Free Trade Agreement (AIFTA) and the commencement of negotiations in trade in services and investment under the ASEAN-Japan Comprehensive Economic Partnership Agreement.

62. We noted with pleasure the progress in the implementation of the 2nd Joint Statement on East Asia Cooperation and the ASEAN Plus Three Cooperation Work Plan (2007-2017), which support the establishment of the ASEAN Community by 2015 and contribute to the long-term goal of building an East Asian community with ASEAN as the core and playing the role of the primary driving force.

63. We welcomed the recent important developments within the framework of ASEAN+3 cooperation in various fields such as the realisation of the Chiang Mai Initiative Multilateralisation (CMIM) Agreement on 24 March 2010, the decision to establish the ASEAN+3 Bond Market Forum (ABMF) the Credit Guarantee and Investment Facility (CGIF) as a trust fund of ADB at the 13th ASEAN+3 Finance Ministers' Meeting and agreement on all the key elements of the ASEAN+3 Macroeconomic Research Office (AMRO); the ASEAN Labour Ministers' Meeting with China, Japan and the Republic of Korea (Ha Noi, May 2010), which focused on the human resource development, cooperation for economic recovery and growth; the outcome of the 4th Meeting of ASEAN+3 Ministers Responsible for Culture and Arts (Philippines, 26 March 2010) which further broadens and deepens cooperation among ASEAN+3 countries in the field of culture and the arts.

64. We were satisfied with the progress made within the EAS cooperation framework especially in the five priority areas, namely, energy, finance, education, avian influenza prevention and natural disaster mitigation/management. In this connection, we encourage fruitful outcomes from the upcoming 4th EAS - EMM (in Da Lat) and welcomed the 2nd EAS Workshop on Trade Finance (Sydney, May 2010) and the First Regional Workshop of the EAS Education Cooperation Task Force on Educational Cooperation in East Asia Summit Countries for Regional Competitiveness and Community Building (Jakarta, May 2010) among others, which will help broaden and deepen EAS cooperation. We noted the initiatives being undertaken to move forward broader regional integration by considering the recommendations of both the East Asia Free Trade Area (EAFTA) and the Comprehensive Economic Partnership for East Asia (CEPEA) studies together.

65. We discussed ASEAN's common approach with regard to the future direction of the EAS as instructed by the ASEAN's Leaders at the 16th Summit bearing in mind the Leaders-led, open and inclusive nature of the EAS with ASEAN playing a central role. We agreed to recommend the 5th EAS to take stock of the EAS achievements and set out directions for its future development and to issue a statement on its 5th Anniversary.

REGIONAL AND INTERNATIONAL ISSUES

Korean Peninsula

66. Bearing in mind that peace and security on the Korean Peninsula would greatly benefit the region, we reaffirmed our support for a nuclear weapons-free Korean Peninsula and encouraged the parties to resume the Six-Party Talks as soon as possible, considering it as the main platform to achieve long lasting peace and stability in a denuclearised Korean Peninsula. ASEAN is prepared to contribute to the process through appropriate modalities and venues, including the ASEAN Regional Forum.

67. We deplored the incident of the Cheonan ship sinking and the rising tension on the Korean Peninsula. We conveyed our sympathy and condolences to the ROK over the loss of lives in this tragic incident. We urged all parties concerned to exercise the utmost restraint, enhance confidence and trust, settle disputes by peaceful means through dialogue, and promote long lasting peace and security in the region. In this connection, we expressed our support for the 9 July 2010 UN Security Council Presidential Statement.

Developments in Myanmar

68. We were briefed by the Foreign Minister of Myanmar on recent developments and the progress made in the implementation of the Roadmap for national reconciliation and democracy, including the preparations for the general election in Myanmar in 2010 leading to a constitutional government. We underscored the importance of national reconciliation in Myanmar and the holding of the general election in a free, fair, and inclusive manner, thus contributing to Myanmar's stability and development. We also stressed the need for Myanmar to continue to work with ASEAN and the United Nations in this process.

Middle East Peace Process

69. We strongly condemned Israel's military attack on a convoy of ships carrying aid to the Gaza Strip, which resulted in the loss of lives and aggravated tension in the region. In this regard, in accordance with the relevant UNSC resolutions, we reiterated the call for the lifting of the blockade to ensure unimpeded access of humanitarian assistance to the Palestinian people in Gaza in order to help alleviate their plight.

70. We encouraged the parties concerned to restart negotiations on the peace process for a final, just and comprehensive settlement with the realisation of two states, Israel and Palestine, living side by side, in peace, within secured and recognised borders, based on the Roadmap, the relevant (UNSC) Resolutions as well as the Arab Peace Initiative.

Nuclear Disarmament

71. We took note of encouraging developments on nuclear disarmament in various fora. We welcomed the Final Document of the 2010 Review Conference of the Parties to the Treaty of the Non-Proliferation of Nuclear Weapon (NPT) for the realisation of the objectives and principles enshrined in the NPT in a balanced manner. Despite divergent views on some issues, the Conference succeeded in reaching an agreement on this important document which contains recommendations for follow-on actions on the three pillars of the Treaty as well as practical steps on the implementation of the 1995 Resolution on the Middle East. In this connection, we commended the excellent work done by the Philippines in her capacity as President of the Review Conference.

72. We also took note of the Communiqué and Work Plan of the Nuclear Security Summit held in Washington DC on 13 April 2010, which manifested, among others, the international community's efforts to secure nuclear weapons and vulnerable materials and provided useful reference for countries to enhance their national actions and international cooperation in the area of nuclear security.

44th ASEAN MINISTERIAL MEETING

73. We looked forward to the 44th AMM/PMC/18th ARF to be held in July 2011 in Indonesia.

Annex 157

Association of Southeast Asian Nations, *Joint Communiqué: 44th ASEAN Foreign Ministers Meeting*
(19 July 2011)



**Joint Communiqué of the
44th ASEAN Foreign Ministers Meeting,
Bali, Indonesia, 19 July 2011**

“ASEAN Community in a Global Community of Nations”

INTRODUCTION

1. The 44th ASEAN Foreign Ministers Meeting (AMM) held on 19 July 2011 in Bali, Indonesia, was chaired by the Minister for Foreign Affairs of the Republic of Indonesia, His Excellency Dr. R.M. Marty M. Natalegawa, as the Chair of ASEAN in 2011. We, the Foreign Ministers of the Association of the South East Asian Nations (ASEAN), had substantive and productive discussions under the theme of “ASEAN Community in a Global Community of Nations”.

2. His Excellency Dr. Susilo Bambang Yudhoyono, President of the Republic of Indonesia, attended the Opening Ceremony of the 44th AMM, delivered an Opening Address and officially opened the 44th AMM/PMC/18th ARF. Highlighting ASEAN’s Community building efforts, the dynamic situation in the region and the world, and in moving forward, President Yudhoyono underlined several pertinent agendas, among others: the peaceful resolution of internal disputes and paving the way for the launching of an ASEAN Institute for Peace and Reconciliation; to immediately finalize the Guidelines on the Implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC) and commence the discussion of identifying elements of a regional code of conduct (COC); to continue to engage and encourage the Nuclear Weapon States to accede, at the earliest, to the Protocol of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone; to ensure ASEAN as a driving force in the regional architecture; maximizing its role in building peace and stability in the region and in the wider region; meaningful cooperation with its external partners, in particular, on the promotion of peace, cooperation and stability, disaster relief management, people smuggling and trafficking in persons; to lend support for Timor-Leste’s intention to become a member of ASEAN; to realize a people-centered ASEAN by further enhancing people-to-people contact through the power of technology; improving the quality of life to the people in the region and to develop a “locally integrated and globally connected” ASEAN Connectivity as well as reaffirming a vision of ASEAN Community in A Global Community of Nations.

3. The Meeting was convened amidst ASEAN's ongoing efforts in building the ASEAN Community, to be achieved by 2015. This endeavour reinforces the relative peace and stability enjoyed by the region. In a wider scope, the global economy continued its fragile recovery from the financial crisis and was marked by the growing importance of the emerging economies, including those in Asia, in the recovery process.

4. In response to the current milieu, it is imperative that ASEAN continues to enhance its regional resilience in order to cope with challenges and make use of opportunities. In this connection, we reaffirmed our commitment to achieve the targeted establishment of the ASEAN Community by 2015 by ensuring the implementation of the ASEAN Charter and the Roadmap for an ASEAN Community 2009-2015, as well as by addressing other emerging issues which would solidify ASEAN integration and resilience, with endeavours to create a common approach to peace, security, stability, and prosperity. While pursuing these commitments, we underscored the importance of the engagement and participation of the peoples of ASEAN, including all stakeholders within ASEAN.

5. While accelerating our community-building efforts, we stressed the need for ASEAN to remain outward-looking that can make significant contributions to regional and global peace and prosperity. We will continue to work with our partners to create a conducive environment in the East Asia region that is characterized by mutual beneficial cooperation through various ASEAN-led fora for peace, common security, common stability, and common prosperity. By developing a common platform, we will also work together to develop common positions to effectively address the regional and global issues of common concerns and interests.

6. In pursuing the fundamental goals as mentioned above, we remained steadfast in our commitment to implement and realize the outcomes of the 18th ASEAN Summit, 7-8 May 2011 in Jakarta, Indonesia.

I. ASEAN COMMUNITY-BUILDING

Roadmap for an ASEAN Community

7. We welcome the progress that has been made in the implementation of the Roadmap for an ASEAN Community 2009-2015, the Master Plan on ASEAN

Connectivity and the IAI Work Plan. In some areas, wide-ranging activities and programs have been developed and set in motion, including those in cooperation with ASEAN's Dialogue and External Partners. We realized that to further enhance and improve the implementation of the three Community Building Blueprints requires our collective resolve and commitment are required in order to achieve an outward-looking, peaceful, stable and prosperous Southeast Asia region. We encourage sectoral bodies across the three Community pillars to accelerate the implementation of relevant action lines in order to ensure that all three Community pillars progress in concert, in synergy, and are mutually reinforcing.

8. We are determined to implement the commitments and to achieve the targets set in the updated list of ASEAN Community Building – Annual Targets of 2011. The evolving schedule of targets is helping ASEAN monitor the implementation of key action lines under the Roadmap for ASEAN Community. We expressed our pledge to exert our utmost efforts to integrate our commitments into national policies and programs as well as to achieve those targets. We remain committed to support the ASEAN Coordinating Council (ACC) and the three Community Councils in implementing and developing the annual targeted achievements as well as in reviewing the progress of the implementation of the Community Blueprints. We tasked the Committee of Permanent Representatives with the support of the ASEAN Secretariat to report on the progress of the annual targets list to the ASEAN Coordinating Council and the 19th ASEAN Summit in Bali, 17 November 2011.

9. We welcome finalization of the Rules of Procedure for Conclusion of International Agreements by ASEAN and Rules of Procedure for the Interpretation of the ASEAN Charter. We welcome the extension of the mandate of the ASEAN SOM Working Group on HLEG's Remaining Legal Instruments to finalize the remaining Rules for Reference of Non-Compliances to the ASEAN Summit. We also tasked the ASEAN SOM to consider the establishment of an ASEAN legal committee

10. We took note of the updating of the Annex 1 of the ASEAN Charter by the ASEAN Secretary-General as recommended by the CPR.

ASEAN Political-Security Community (APSC)

11. We are encouraged by the progress in the implementation of the ASEAN Political Security Community (APSC) Blueprint. As there were different paces in which the action lines were being implemented, we expressed our commitment to redouble our efforts in ensuring the Blueprint's timely implementation in order to achieve results,

while recognizing the different capacity and capability of ASEAN Member States to undertake the stipulated actions in the Blueprint.

Treaty of Amity and Cooperation in Southeast Asia

12. We acknowledged the Treaty of Amity and Cooperation in Southeast Asia (TAC) has had a significant role as a code of conduct governing inter-state relations in the region. We reaffirmed our commitment to the principles enshrined in the TAC, and we would seek to foster greater cooperation and understanding among High Contracting Parties and to help promote peace and harmony in the region.

13. We welcome the accession of non-ASEAN Member States to the TAC. We are encouraged by the continued interest of other non-ASEAN Member States to accede to it as a positive signal of commitment to strengthen cooperation with ASEAN and to peace and security in the region. We look forward to the ratification of the Third Protocol Amending the TAC by all High Contracting Parties so that the EU can accede to the TAC. We look forward to the accession of Canada to the Third Protocol of the TAC.

Conflict Resolution and Peacekeeping Cooperation

14. We emphasized the importance of enhancing cooperation in capacity-building in the areas of conflict prevention, conflict management, conflict resolution, peacekeeping and post-conflict peace building, including demining activities, in order to strengthen the vital role of ASEAN Member States in supporting effective efforts in the maintenance of regional peace and security.

15. We welcome the progress made in the implementation of the ASEAN Leaders' Joint Statement on the Establishment of an ASEAN Institute for Peace and Reconciliation (AIPR) which contributes to sustainable peace in the region and beyond. In line with the decision of the ASEAN Leaders at the 18th ASEAN Summit, we have had a deep discussion on the matter, and agreed to a set of recommendations of the AIPR to be submitted to the 19th ASEAN Summit.

16. We further acknowledged the importance of advancing conflict prevention, conflict management, conflict resolution, peacekeeping and post-conflict peace building efforts by strengthening the cooperation, networks, training and capacity building within ASEAN and connecting such efforts with similar regional as well as global efforts.

17. We acknowledged that peacekeeping has become multidimensional in nature, consisting of military, police, and civilian components, carrying out a wide range of mandated tasks, including inter alia, peace agreement observations, mediation, conflict resolution and post-conflict peace building. We further acknowledged the importance for ASEAN Member States to adapt to this development and create synergies with other regional and global institutions with a view to strengthen its networks and capacities in support of United Nations (UN) peacekeeping missions. We underscored that this effort would elevate the vital role of ASEAN Member States to contribute and support UN peacekeeping operations.

18. In this regard, we welcome the ASEAN Defence Ministers' adoption of the concept paper on establishing an ASEAN Peacekeeping Centres' Network during the 5th ASEAN Defence Ministers' Meeting (ADMM) on 19 May 2011 in Jakarta. We encouraged efforts to strengthen the coordination between various ASEAN sectoral bodies contributing to peacekeeping operations, such as the ADMM, ADMM Plus Experts' Working Group on PKO, and the ARF Peacekeeping Experts' Meeting, to create synergies in their works and further contribute to ASEAN's endeavours in UN Peacekeeping Missions.

Good Governance

19. We emphasized the importance of good governance for national development and prosperity, as well as for the promotion of peaceful, just, equitable and prosperous environment in the region, contributing to the full achievement of an ASEAN Community by 2015. In this regard, we further encouraged the exchange of experiences and best practices as well as enhance dialogue and partnership among governments, private sectors, and other relevant organizations to promote new ideas and methods to foster, among others, transparency, accountability, participatory, and effective governance. We, therefore, tasked our SOM in coordination with relevant sectoral bodies to further develop this agenda.

ASEAN Intergovernmental Commission on Human Rights

20. We welcome the progress of the work of the ASEAN Intergovernmental Commission on Human Rights (AICHR) in the promotion and protection of human rights in the region in accordance with the ASEAN Charter and Terms of Reference of the AICHR. We welcome the commencement of the drafting of an ASEAN Human Rights Declaration and took note of the annual report of the AICHR which reflects the progress of the work of the AICHR since its establishment in October 2009. Bearing in

mind that human rights is a cross-cutting issue that is being dealt with in several sectoral bodies, we encouraged proper alignment between relevant ASEAN sectoral bodies dealing with human rights with AICHR as the overarching human rights institution in ASEAN.

Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ) Treaty

21. We re-emphasized the importance of preserving the Southeast Asian region as a Nuclear-Weapon-Free Zone and free of all other weapons of mass destruction as enshrined in the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ) and the ASEAN Charter. We underscored the importance to move forward the implementation of the Plan of Action to Strengthen the Treaty on SEANWFZ and agreed to exert greater efforts to ensure that various programs and activities indicated in the Plan of Action are carried out. In this regard, we welcome the decision of the SEANWFZ Commission to review the Plan of Action of the implementation of the SEANWFZ Treaty (2007-2012). We are encouraged by the recent progress in formulating ASEAN discussion points with regard to outstanding issues related to the SEANWFZ Treaty. We look forward to direct informal consultations between ASEAN and the Nuclear Weapon States with a view to finalizing their accession to the SEANWFZ Protocol as well as to gather their full support for the ASEAN-sponsored UNGA Resolution on the SEANWFZ Treaty in the upcoming 66th UNGA. We also look forward to the submission and eventual adoption by consensus of the 66th United Nations General Assembly draft resolution on the SEANWFZ Treaty.

South China Sea

22. We discussed in depth the recent developments in the South China Sea and expressed serious concern over the recent incidents. In this regard, we stressed the importance of maintaining peace, and stability in the South China Sea, the continued exercise of self-restraint by all parties concerned, and the promotion of confidence-building measures in this area. We further reaffirmed the importance and continued relevance of the Declaration on the Conduct of Parties in the South China Sea (DOC) of 2002, as a milestone document between ASEAN Member States and China, embodying their collective commitment to promoting peace, stability and mutual trust and to ensuring the peaceful resolution of disputes in the area, in accordance with universally recognized principles of international law, including the 1982 United Nations Convention on the Law of the Sea (UNCLOS). We called on all parties to respect the freedom of navigation in and over-flight above the South China Sea as

provided for by the universally recognized principles of international law, including the 1982 UNCLOS.

23. We stressed the importance of promoting a peaceful, friendly and cooperative environment in the South China Sea, and the continued constructive dialogue between ASEAN and China in this regard. Subsequently, we look forward to the finalization of the Guidelines at the upcoming ASEAN-China Senior Officials' Meeting on the Implementation of the DOC.

24. Building upon the momentum of the 20th Anniversary of the Establishment of ASEAN-China Dialogue Relations in 2011 and the 10th Anniversary of the signing of the DOC in 2012, we initiated discussion in ASEAN on a regional Code of Conduct in the South China Sea (COC). We look forward to intensive discussion in ASEAN on a regional Code of Conduct in South China Sea (COC). In this regard, we tasked the ASEAN SOM to work on the development of the COC and submit a progress report to the 19th ASEAN Summit.

25. While pursuing the above undertakings, we underline the importance of optimizing ongoing Track 2 mechanisms on the South China Sea, including the regular Workshop on Managing Potential Conflicts in the South China Sea organized by Indonesia. We noted that, in its 20 years of existence, the Workshop has been able to encourage cooperation with a view to fostering trust and understanding among its participants. We looked forward to the further progress of the upcoming Workshop which could set a meaningful example of cooperation and collaboration among parties concerned.

26. We noted with appreciation the proposal of the Philippines on a Zone of Peace, Freedom, Friendship and Cooperation (ZoPFF/C) and tasked the ASEAN SOM with the assistance from maritime legal experts to seriously study the proposal. We welcome the offer of the Philippines to host the maritime legal experts meeting in September 2011, report to the SOM, and make recommendations to the Foreign Ministers prior to the 19th ASEAN Summit in November 2011.

ASEAN Security Outlook (ASO)

27. We welcome the finalization of the ASEAN Security Outlook (ASO) standardized format by the SOM-ADSOM Joint Working Group (JWG). We reinforced the importance of the ASO in promoting transparency in security-related policies. We encouraged further contribution to the ASO, and looked forward to its first annual

publication in the near future after due consideration by the ADMM and the APSC Council, Encouraged by the effective and productive joint collaboration by the JWG, we further recommended the continuation of the work of the JWG and the close coordination needed between the ASEAN SOM and ADSOM on various agendas under the APSC Blueprint.

Defence and Security Cooperation

28. We welcome the outcomes of the 5th ASEAN Defence Ministers' Meeting held on 19 May 2011 in Jakarta and reiterated its role in pursuing defence and security cooperation issues. We are encouraged by the Defence Ministers adoption of their new Three-Year Work Program, and concept papers on Peacekeeping Centers' Network and Defence Industry Cooperation to elevate the regional defence cooperation. We also welcome the establishment of the ADMM-Plus Experts Working Groups on Maritime Security, Peacekeeping Operations, Counter-terrorism, Humanitarian Assistance and Disaster Relief, and Military Medicine. We supported and expressed our optimism with the meaningful progress and endeavours on defence and security cooperation matters as part of ASEAN's community-building process.

29. We welcome the entry into force of the ASEAN Convention on Counter-Terrorism (ACCT) and urged the ratification of the ACCT by ASEAN Member States that have not done so. We urged the effective implementation of the ASEAN Comprehensive Plan of Action on Counter-Terrorism through, inter alia, addressing the root causes of terrorism, enhancing cooperation on de-radicalization and promoting moderation.

30. We underlined the importance of the follow-up of the Leaders' Joint Statement in Enhancing Cooperation against Trafficking of Persons in South East Asia, adopted at the 18th ASEAN Summit in Jakarta, particularly to accelerate the consideration of an ASEAN Convention on Trafficking in Persons. We are determined to support the work of relevant ASEAN sectoral bodies in following up the decisions of the Leaders. We also expressed appreciation of the work of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, which developed practical solutions through inter alia, establishing networks and collaboration among legal and law enforcement practitioners in the region.

31. We welcome the upcoming 2nd ASEAN Maritime Forum to be held in Pattaya, Thailand, on 17-19 August 2011. We stressed the need to strengthen this Forum and utilize it as a means to identify maritime cooperation and discuss different ways to

ensure the safety and security of our seas and the region, including search and rescue (SAR), and to provide solutions to current and emerging maritime-related issues and challenges. We recommended that further efforts shall be built upon the encouraging results from the 1st ASEAN Maritime Forum in Surabaya, Indonesia, last year. We welcome the offer of the Philippines to host the 3rd AMF in 2012.

ASEAN Common Visa

32. We reaffirmed our commitment to accelerate the easing of visa requirements for ASEAN nationals as provided by the prioritized projects of the Master Plan on ASEAN Connectivity. We noted the ASEAN Tourism Ministers' discussions in January 2011, which included elements of a single visa in the ASEAN Tourism Strategic Plan 2011-2015. We tasked ASEAN SOM to collaborate with the Directors-General of Immigration Departments and Heads of Consular Affairs Divisions of Ministries of Foreign Affairs Meeting (DGICM) and other relevant sectoral bodies to study the implementation of a progressive visa relaxation as well as the possible establishment of an ASEAN common visa for non-ASEAN nationals and report to the 19th ASEAN Summit.

Biennial Review of the APSC Blueprint

33. We emphasized the importance of better coordination among different sectoral bodies under the APSC and commended the report of the Chairman of the APSC Council to the 18th ASEAN Summit. We realized the necessity to continually ensure that the Blueprint is relevant, and in line with current developments and with ASEAN's vision beyond 2015. In this regard, we look forward to the convening of the 6th Coordinating Conference for the ASEAN Security Community Plan of Action (ASCCO), to be held in September 2011 at the ASEAN Secretariat in Jakarta, which will undertake an effective and beneficial Biennial Review and evaluation of the APSC Blueprint. We are fully confident that our relevant ASEAN sectoral bodies will participate and contribute actively in the Biennial Review with a view to strengthen the APSC Blueprint's relevance with ASEAN's vision beyond 2015.

ASEAN Economic Community (AEC)

34. We acknowledged the progress in implementing the programs and measures of the ASEAN Economic Community (AEC) Blueprint with a view to achieving the AEC by 2015. We are committed to further intensify efforts in intra-ASEAN economic integration and highlighted the importance of our cooperation to speed up the

implementation of the Initiative for ASEAN Integration (IAI) Work Plan II, and Strategic Plan of Action for ASEAN Small and Medium Enterprises (SMEs) Development 2010-2015, and in strengthening efforts to forge equitable economic development.

35. We supported the ongoing efforts in promoting the participation and contribution of Small and Medium Enterprises (SMEs) in the ASEAN Community building process, including enhancing the development of the SMEs and the narrowing of the development gap amongst and within ASEAN Member States. The strengthening of ASEAN SMEs is critical in addressing the livelihood and economies of the region; thus, intensive effort must be given to improve their access to regional market, technology, and finance.

Food and Energy Security

36. Bearing in mind that our present and future activities dictate the interests and livelihood of our children, food, energy, and water security remain critical to our policies in maintaining a resilient and competitive region. We, therefore, support relevant Ministries' endeavours to follow up on the Leaders' deliberations at the 18th ASEAN Summit. ASEAN should continue to play an active role in laying down the path for long term programs in securing access of our peoples to food, energy, and water, especially access to clean water.

37. We considered in depth the decision of the ASEAN Leaders at their 18th Summit to prioritize research and development in the agriculture sector, coordinated food policy, and greater investment in agricultural infrastructure. We, therefore, emphasized the importance of the ASEAN Integrated Food Security (AIFS) Framework and the Strategic Plan of Action on Food Security in the ASEAN Region (SPA-FS) 2009 – 2013 in addressing potential food scarcity and resources. We shared the view that cooperation in the agricultural sector must also touch upon the livelihood of small farmers. Attending to the formulation of a food reserve system in ASEAN is of equal significance, one that will help farmers escape poverty. In this context, we are hopeful to seeing small farmers gain benefit from the implementation of ASEAN's commitment in SMEs development, in particular by accessing financial support, market, and technology critical for their development and progress.

38. In the energy sector, ensuring energy security while giving due consideration to addressing environmental and global climate change issues, as well as reducing dependency on fossil fuels, remain a key challenge. ASEAN must be able to utilize the experience, expertise, and technology of other regional and international

organizations in finding viable alternative and renewable energy resources, and improving energy efficiency and to realize our commitment in expediting electricity access to all of ASEAN particularly rural areas.

ASEAN Socio-Cultural Community (ASCC)

39. We noted with satisfaction the significant progress in the implementation of the ASCC Blueprint toward the realization of the ASCC by 2015 that is people-centred and socially responsible. We acknowledged the priority areas set out for 2011 to strengthen cooperation through pertinent issues such as disaster management, communicable diseases, persons with disabilities, women and children, migrant workers, environmental issues, advancing and prioritizing education, culture, sports and the attainment of the Millennium Development Goals (MDGs) and other people-oriented activities.

Disaster Management

40. In achieving the disaster resilient nations and safer communities by 2015, we realized the importance of putting forward the “Whole-of-Government” approach to ensure the coordination between the civilian and military actors during an emergency response operation. We, therefore, further encouraged the ACDM, ADSOM, ARF as well as mechanisms under the ASEAN+3 and EAS to synchronize policies on humanitarian assistance and disaster relief operations in accordance with accepted international frameworks and consistent with the principle of ASEAN Centrality.

41. We have agreed on the substantive content of the Agreement on the Establishment of the ASEAN Coordinating Centre for Humanitarian Assistance in disaster management (AHA Centre) and will sign the agreement and launch the AHA Centre during the 19th ASEAN Summit in Bali, November 2011. We welcome the activation of the provisional AHA Centre to bridge the operational gap while waiting for the launching of the Centre. We appreciated the commitment and contribution by the Indonesian Government as well as our dialogue and external partners, including from Japan, New Zealand, and the United States of America in ensuring the day-to-day activity of the provisional AHA Centre and welcome the incoming support from Australia as well as other dialogue and external partners.

42. We welcomed the ASEAN Militaries Humanitarian Assistance and Disaster Relief (HADR) Table-Top Exercise (AHX) held in Singapore and Indonesia in July 2011, the first exercise among the ASEAN militaries. The AHX enhanced practical and tangible

cooperation among ASEAN militaries in HADR through the familiarization with each other's mode of operation as well as identified areas for improvement in HADR capacity-building, and improved military-to-military and civil-military communication and coordination.

43. We underlined the significant contribution of the ARF Participants at the ARF DiREx 2011 held in Manado, Indonesia, in March 2011. The Exercise proved meaningful for enhancing civil and military coordination, especially in the notion of civilian-led and military-supported, in the field of disaster relief management. We encouraged the active involvement of ARF Participants in similar exercises and took note of the recommendation to hold such field exercises on a two-year regular basis. We encouraged greater participation from related regional and international organizations in future exercises to strengthen and improve synergies and collaboration in disaster relief management cooperation in the region.

Climate Change

44. We reiterated the strong commitment in the efforts to address climate change at the national, regional and global levels based on the principles of the UNFCCC and its Kyoto Protocol. Realizing the vulnerability that is shared within our region, we reaffirmed our commitment to strengthen efforts in adapting to the impact of climate change. We are pleased that ASEAN is gradually building an understanding and common position on climate change, necessary and important to strengthen the voice of ASEAN at the global level. In this regard, we supported the ASEAN's initiative to develop an ASEAN Leaders' Joint Statement on Climate Change for the COP-17.

45. We re-emphasized the importance of "a clean and green ASEAN" with fully established mechanisms, that are up to date and fine-tuned to meet the ever-changing effect of climate change adaptation, to ensure the protection of the environment, sustainability of natural resources, and high quality of life of the people in the region. We, therefore, reaffirmed our pledge to support the realization of the ASEAN Vision 2020.

Promoting the Sustainability of Freshwater Resources

46. We also shared the view that access to clean water is central in supporting the full attainment of the MDGs. In this regard, we agreed to reinforce our efforts to promote sustainable usage and management of water resources through enhanced information-sharing and cooperation, improve access to safe and clean water,

sanitation, hygiene and healthy ecosystems through appropriate policies and adequate financial resources at all levels. As water is a cross-cutting issue, it is crucial to develop innovative environmental governance, integrated water management policy, legal frameworks, cross-sectoral policies, financing mechanisms and technologies in combination with capacity development. We saw the importance of promoting sustainability of water resources to ensure equitable and sufficient access to clean water for the people of ASEAN.

Migrant Workers

47. As a follow up to the Leaders' guidance at the 18th ASEAN Summit, we welcome the offer by the Philippines to host the 4th ASEAN Committee on Migrant Workers (ACMW) Drafting Team Meeting scheduled to be held in Manila prior to the 19th ASEAN Summit. We are confident that the ACMW would produce substantial progress in developing the draft ASEAN Instrument within the agreed phases. We also welcome the decision of the 7th Senior Labour Officials' Meeting (SLOM) to continue to work on the draft ASEAN Instrument on the Protection and Promotion of the Rights of Migrant Workers based on the spirit of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers adopted in Cebu at the 12th ASEAN Summit in 2007, focusing on issues which are in line with laws and policies of the ASEAN Member States. We also looked forward to the development of a proposal on the convening of a workshop on this matter as soon as possible.

Education

48. We recognized the role of education in developing human resources, enhancing regional competitiveness and in supporting the ASEAN Community Building process. We looked forward to the progress of the implementation of the 5-year Work Plan on Education as a strategy to advance the educational sector. We will work with the ASEAN Education Ministers to follow-up the Leaders' recommendations, such as the teaching of ASEAN studies, exchange of students programme, and the development of a framework of a transfer of credits among universities in ASEAN Member States, building upon existing arrangements. We noted Indonesia's intention to establish an ASEAN languages centre to promote proficiency in the languages of ASEAN Member States among the people of ASEAN and beyond, in line with the ASCC Blueprint.

Communicable Diseases

49. We underlined the continuous effort in ASEAN towards the prevention and control of communicable diseases, including dengue, by enhancing regional preparedness and capacity through integrated approaches to surveillance prevention, and timely response for an outbreak. We welcome the convening of the ASEAN Dengue Conference in Jakarta, 13-14 June 2011, and the first official launch of 15 June as ASEAN Dengue Day at the regional level. In this regard, we further supported the “Jakarta Call for Action on the Control and Prevention of Dengue” in strengthening ASEAN’s effort to prevent and control dengue transmission in ASEAN.

50. As part of the preparations for the commemoration of the 10th Anniversary of the ASEAN Declaration on HIV and AIDS during the 19th ASEAN Summit, we noted with appreciation the efforts of the ASEAN Task Force on AIDS (ATFOA) Core Groups Meeting in May 2011 in Jakarta, to develop the Renewal of the ASEAN Declaration of Commitment on HIV and AIDS and to prepare two finalized important documents, namely the ASEAN Regional Report on HIV/AIDS and the ASEAN Work Program on HIV/ AIDS. We also underscored the importance of global and regional determination to enhance preparedness and capacity in combating HIV/AIDS.

Sports

51. We underlined the importance of promoting healthier lifestyle and encouraging more interaction among peoples of ASEAN. We, therefore, welcome the convening of the 26th SEA Games in Palembang and Jakarta, Indonesia, and the 6th ASEAN Para-Games in Sob, Indonesia in November 2011. We expressed our commitment to support the realization of an ASEAN Ministerial Meeting on Sports.

52. As a follow-up to the Leaders’ decision on ASEAN’s bid to host FIFA World Cup in 2030, we task the CPR to, in cooperation with the ASEAN Secretariat, engage the ASEAN Football Federation in conducting an initial study on the bid.

Women, Children, and Youth

53. We commended the ongoing efforts by the ACWC in finalizing the Rules of Procedures of the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) g, in order to enhance its tasks in the promotion and protection of the rights of women and children in the region. We noted the development of the ACWC Work Plan to prioritize the thematic areas to respond to

urgent regional issues and continued to urge the proper alignment of the work of the ACWC with the AICHR.

54. We look forward to the Preliminary ASEAN Ministerial Meeting on Women this coming October 2011 in Indonesia to further strengthen ASEAN cooperation on empowering women.

55. We acknowledged the active contribution of youth in the ASEAN Community Building process. We are heartened by the convening of the ASEAN Heads of States/Government Meeting with the ASEAN Youth Representatives during the 18th ASEAN Summit and noted with satisfaction the “Joint Statement ASEAN Youth Forum and Festival 2011: Enriching Culture through Leadership, Entrepreneurship and Education towards ASEAN Community 2015.” We supported the engagement of youth in promoting the ASEAN identity, friendship, cooperation, and mutual respect in the region and underlined the importance of enhancing youth capacity and competitiveness through education, leadership, and entrepreneurship activities. We looked forward to a more inclusive program for youth and the possible establishment of an ASEAN Youth Program Fund.

Persons with Disabilities

56. We recognized the need to enhance the role, opportunities, and participation of persons with disabilities in the region. We looked forward to the finalization of the Bali Declaration on the Enhancement of the Role and Participation of Persons with Disabilities in the ASEAN Community as well as the Proclamation of the ASEAN Decade for Persons with Disabilities 2011-2020, to be adopted at the 19th ASEAN Summit.

Cultural Identity

57. Bearing in mind that fostering greater appreciation and understanding of ASEAN’s diverse culture and heritage is a key factor for the success of ASEAN Community Building, we welcome the development of the ASEAN Declaration on “Shared ASEAN Cultural Identity: Towards Strengthening the ASEAN Community,” for adoption during the 19th ASEAN Summit. With reference to the deliberations of our Leaders during the 18th ASEAN Summit in Jakarta, we further encouraged the notion to have an ASEAN television channel or network and supported enhancing media cooperation, through the use of appropriate media channels, to forge an ASEAN cultural identity among the people in the region.

ASEAN Connectivity

58. Taking into consideration the strategic political, economic, and social values of ASEAN Connectivity in relation to the establishment of an ASEAN Community by 2015 and the participation of our external partners, ASEAN must play a leading role and remain in the driving force behind initiatives to implement the MPAC. We must therefore ensure that initiatives to develop the region's connectivity adhere to the key principles of the MPAC.

59. We emphasized that ASEAN Connectivity would promote economic growth, narrow development gap, ASEAN integration and Community building process, enhance the competitiveness of ASEAN and promote deeper social and cultural understanding as well as greater people mobility, connect its Member States within the region and with the rest of the world. We are committed to work together with relevant sectoral bodies in promoting the implementation of the Master Plan on ASEAN Connectivity (MPAC).

60. We recommended to the ASEAN Connectivity Coordinating Committee (ACCC) to work closely with the relevant sectoral bodies and the ASEAN Connectivity National Coordinators (ACNC) for a coordinated and effective implementation of the MPAC and to accelerate the realization of the ASEAN Connectivity.

61. We are encouraged by the keen interest of ASEAN Dialogue Partners to pursue cooperation and partnerships with respect to the implementation of the MPAC. We will continue consultations and discussions with dialogue and external partners to enhance connectivity within the region and beyond. We also call on international and regional financial institutions such as ADB and World Bank, international organizations and institutions such as UN-ESCAP and ERIA as well as the private sector, to support the implementation of the MPAC. We support the efforts of ASEAN to continue to work with Dialogue Partners to organize activities to publicize ASEAN Connectivity to both business communities in ASEAN Member States as well as Dialogue Partners.

62. We acknowledge the achievements made by the Greater Mekong Sub region (GMS), the Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT) and the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA), as well as other relevant sub-regional cooperation. We recommended to the ACCC to closely cooperate and coordinate with all of these sub-regional cooperation frameworks to implement the MPAC.

63. We acknowledged that ASEAN Connectivity is the first step in the development of enhanced connectivity between ASEAN and the wider region, which remains our long-term goal. We welcome the initiative introduced by Thailand to explore the possibility of having a “Connectivity Master Plan Plus” to connect ASEAN with our external partners.

Narrowing the Development Gap

64. We have benefited from ongoing regional integration and therefore we reiterate the goal towards a sustainable and viable ASEAN, through the implementation of the IAI Work Plan II. We remain committed to share these benefits so that all Member States and every segment of society shall benefit from ASEAN’s integration in achieving a more balanced, inclusive, and sustained ASEAN Community. We therefore reiterated that the issue must be addressed in a comprehensive manner, for narrowing the development gap creates the foundation needed in developing an ASEAN that we all envision.

Engagement and Participation of the People

65. We reaffirmed that ASEAN undertakings in all the three pillars, as well as the promotion of ASEAN Connectivity and the narrowing of development gap, could only be attained and sustained with the engagement and participation of the people. Indeed, all of our community-building endeavours are at the service of the people of ASEAN.

66. In view of this, we expressed appreciation for activities undertaken by ASEAN Member States in promoting public awareness of ASEAN and engaging higher participation of the ASEAN people. We noted with appreciation the collaboration between Indonesia, as ASEAN Chair, and the ASEAN Secretariat to implement the various projects in promoting public awareness towards ASEAN and in engaging the deeper and closer interaction between ASEAN and the people. As part of an effort to enhance public awareness and sense of ownership and belonging to ASEAN, we welcome the “Guidelines on the Use of the ASEAN Flag.” In this regard, we shall start officially to raise the ASEAN Flag in all ASEAN National Secretariats and selected ASEAN diplomatic and consular missions on the ASEAN Day, on 8 August 2011.

67. Recognizing the wide range and versatility of ASEAN socio-cultural wealth, we supported the proposal of Indonesia as the Chair of ASEAN to hold the first ASEAN Fair in conjunction with the 19th ASEAN Summit and Related Summits to be held in Bali in November 2011. The four-week event will showcase arts and cultural performances of

all ASEAN Member States as well as highlight the achievements and potentials of the region's creative and cultural industries. We envision the ASEAN Fair to bring together elements of society in various activities that demonstrates a people-oriented and people-centred ASEAN. In this connection, we expressed our commitment to take part and actively collaborate for the success of this event.

Committee of Permanent Representatives (CPR)

68. We underscored the important role of the Committee of Permanent Representatives to ASEAN (CPR) in Jakarta in ensuring closer cooperation and coordination of activities across the three pillars and among sectoral bodies of ASEAN, ASEAN National Secretariats, and the ASEAN Secretariat. We welcome the progress achieved by the CPR in facilitating the enhancement of ASEAN cooperation with ASEAN Dialogue Partners and other external partners as well as in the implementation of and the follow-up measures to the commitments and agreements between ASEAN and its external partners.

ASEAN Secretariat

69. We reiterated our support for the strengthening of the ASEAN Secretariat and agreed to undertake a comprehensive review by the Secretary-General of ASEAN in collaboration with the CPR with a view towards reporting to the 19th ASEAN Summit, through the ASEAN Coordinating Council (ACC).

II. ASEAN AND THE WIDER REGION

70. We re-emphasized that a stable and peaceful regional environment is essential for the pursuit of sustainable economic development and social progress in South East Asia and the wider region. ASEAN has been instrumental in maintaining such an environment by, among others, advancing the ZOPFAN, TAC, and SEANWFZ. Therefore, we stressed the importance for ASEAN to continue to maintaining peace among ourselves and, externally, to utilize its central role in creating such a condition in a wider region.

71. To this end, we reiterated the growing significance of ASEAN-led processes such as ASEAN Plus One, ASEAN Plus Three, the East Asia Summit and the ASEAN Regional Forum. Such processes have created great dynamism of cooperation in various fields and reinforced ASEAN Community building process towards 2015.

72. In this connection, we discussed the preparation for the ASEAN Plus One Ministerial Meetings, the 12th ASEAN Plus Three Foreign Ministers Meeting, the East Asia Summit Foreign Ministers' Consultation and the 18th ASEAN Regional Forum, to be held in Bali, Indonesia on 21-23 July 2011.

73. In this spirit, we welcome the Minister of Foreign Affairs of the Russian Federation and the Secretary of State of the United States of America to the East Asia Summit Foreign Ministers' Consultation and looked forward to their active participation and positive contribution.

East Asia Summit (EAS)

74. We reaffirmed our commitment to the 2005 Kuala Lumpur Declaration on the Establishment of the EAS which contains the principles of the EAS as a Leaders-led forum for dialogue and cooperation on broad strategic, political and economic issues of common interest and concern with the aim of promoting peace, stability and economic prosperity and integration in East Asia. We further reaffirmed ASEAN's central role in the EAS, and ASEAN's commitment to working in close partnership with all EAS participating countries, to ensure that an expanded EAS would continue to be an important component of the evolving regional architecture.

75. We welcome the progress of and agreed to further strengthen cooperation in the framework of the EAS especially in the five priority areas, namely finance, energy, education, global health and pandemic diseases, disaster management and ASEAN Connectivity, deepening regional economic integration based on the concurrent studies of Comprehensive Economic Partnership in the East Asia (CEPEA) and East Asia Free Trade Area (EAFTA).

76. In light of the recent developments, we emphasized the imperative to strengthen our efforts in disaster management in order to respond more effectively, in practical terms, to any future natural disasters. We agreed to recommend food security as an important thematic area of discussion. We also discussed ways of promoting a conducive environment for peace and prosperity in the region including enhancing EAS cooperation by setting in motion EAS deliberations and cooperation on the traditional and non-traditional security issues building on the ASEAN body of work, inter alia, in the fields of maritime security, trans-national crimes, terrorism, piracy, as well as non-proliferation and disarmament.

77. We agreed to submit the draft of Declaration of the East Asia Summit on the Principles for Mutually Beneficial Relations for the Leaders' consideration and consent to be issued at the 6th East Asia Summit in Bali in November 2011.

ASEAN External Relations

78. We noted the development and encouraged further enhancement of ASEAN relations with external parties, particularly with its dialogue partners, sectoral partners and other international and regional organizations, such as Economic Cooperation Organization (ECO), Gulf Cooperation Council (GCC), *Mercado Comun del Sur*/Common Market of the South (MERCOSUR), Rio Group, South Asian Association for Regional Cooperation (SAARC), the United Nations, and the G-20. In this spirit, we expressed our conviction that the Joint Declaration on Comprehensive Partnership between ASEAN and the United Nations to be adopted by the ASEAN Leaders at the 19th Summit would enhance ASEAN's stature and contribute to the global community.

79. We also welcome the accreditation of the Ambassadors of the ASEAN's external partners to ASEAN and look forward to the effective engagement between the CPR and Ambassadors to ASEAN for mutual benefits in Jakarta. We are encouraged with the establishment of more ASEAN Committees in Third Countries and international organizations (ACTC) to support and contribute towards a strengthened cooperation with ASEAN's external partners.

ASEAN-Australia

80. We appreciated Australia's continued commitment for the ASEAN-Australia Development Cooperation Programs (AADCP) II for the period of 2008-2015. In this regard, we noted the progress in establishing the Joint Cooperation Committee as a new mechanism to focus on key development areas and strategic direction in ASEAN-Australia development cooperation across the three pillars of ASEAN.

ASEAN-Canada

81. We noted with satisfaction the implementation of the Plan of Action to implement the Joint Declaration on ASEAN-Canada Enhanced Partnership 2010-2015. We look forward to Canada's further accession to the Third Protocol of the TAC following its accession to the TAC last year. We endorsed the List of Activities to Commemorate the 35th Anniversary of ASEAN-Canada Relations in 2012 to be submitted to the PMC + 1 Session with Canada on 22 July 2011 for adoption and look forward to convening the

commemorative activities. We also look forward to a successful conclusion of the ASEAN-Canada Joint Declaration on Trade and Investment.

ASEAN-China

82. We are pleased to note that the new ASEAN-China Strategic Partnership Plan of Action (PoA) for 2011-2015 has been implemented through various programs of activities. We recalled the successful outcome of the ASEAN Foreign Ministers Road Trip to China and ASEAN-China Foreign Ministers' Meeting on Connectivity in Kunming in January 2011. We welcome the activities undertaken by ASEAN Member States and China to celebrate the Year of Friendship and Exchange and the 20th Anniversary of the ASEAN-China Dialogue Relations, in particular the 3rd ASEAN-China Young Entrepreneurs Forum in Jakarta, 19-23 April 2011, ASEAN-China Youth Leaders Symposium in Cambodia on 25-26 June 2011, the Seminar on Enhancing Connectivity between ASEAN and China in Viet Nam on 5 July 2011, and Seminar on Strengthening ASEAN-China cooperation in the field of non-traditional security in the context of enhanced connectivity in Viet Nam on 6 July 2011. We look forward to the implementation of the ASEAN-China Youth Caring and Sharing Programme in November 2011. In this connection, we are determined to work for the successful outcomes of the ASEAN-China Commemorative Summit in November 2011, including the adoption by the Leaders of the Joint Statement.

83. We look forward to the launching of the ASEAN-China Center later this year in Beijing and expressed our commitment to utilize the centre to enhance the ASEAN-China strategic for the mutual benefits on economic cooperation, socio-cultural cooperation and people-to-people contact. We also appreciated China's strong support to the implementation of the MPAC through the establishment of the ASEAN-China Investment Cooperation Fund and looked forward of utilizing the Fund to the implementation of the Master Plan on ASEAN Connectivity.

ASEAN-European Union

84. We expressed our satisfaction with the implementation of the Plan of Action to Implement Nuremberg Declaration on an ASEAN-EU Enhanced Partnership and its subsequence two-year periodic list of activities. We reaffirmed commitment to continue strengthening the dialogue relations through joint cooperation programmes and activities in mutually beneficial areas including education, energy, trade and investment, statistics, border management, civil aviation, and intellectual property rights.

85. We welcome various activities as reflected in EU's Multi-Annual Indicative Program (MIP) 2011-2013. We further welcome the enhancement of cooperation among ASEAN-EU business community as reflected by the ASEAN-EU Business Summit in Jakarta on 5 May 2011.

86. We look forward to the convening of the 19th ASEAN-EU Ministerial Meeting in Brunei Darussalam in 2012 and the adoption of a new ASEAN-EU Plan of Action aimed at further enhancing the overall dialogue relations, and supporting the ASEAN goals in regional integration and community building process.

ASEAN-India

87. We deliberated further actions to implement the Plan of Action 2010-2015. We look forward to the convening of the first meeting of the ASEAN-India Eminent Persons Group in Phnom Penh in August 2011 and its recommendations to be submitted to the ASEAN-India Commemorative Summit in 2012 to chart the future direction of the ASEAN-India cooperation. We also look forward to the conclusion of the Memorandum of Understanding (MOU) on ASEAN-India Tourism Cooperation by 2012 in Manado, Indonesia. We commend India for its initiative in establishing ASEAN-India Green Fund and ASEAN-India Science and Technology Development Fund. We also highly appreciated India's strong commitments to support the implementation of the MPAC.

88. We also look forward to the implementation of series of activities to commemorate the 20th anniversary of the ASEAN-India Dialogue Relations that would strengthen the dialogue partnership and cooperation between ASEAN and India.

ASEAN-Japan

89. We reiterated our sympathy, solidarity, and support to the Government and people of Japan in their recovery and reconstruction efforts due to the natural disasters in the region, particularly the Great East Japan Earthquake and tsunami which hit Japan on 11 March 2011. We further expressed our confidence of the early recovery of Japan. We reaffirmed our commitment to further implement the outcomes of the Special ASEAN-Japan Ministerial Meeting in Jakarta, Indonesia, on 9 April 2011.

90. We looked forward to finalization of the draft ASEAN-Japan Declaration and its Plan of Action 2011-2015 that have been submitted by ASEAN and expressed our

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commitment to submit them to the 14th ASEAN-Japan Summit in Bali, Indonesia, November 2011 for their consideration and endorsement. We also looked forward for the continuation of the Japan-ASEAN Integration Fund (JAIF) to support the ASEAN integration process. We welcome the progress of youth exchanges under the Japan East-Asia Network of Exchange for Students and Youths (JENESYS) program. We reaffirmed our commitments to implement the ASEAN-Japan Comprehensive Economic Partnership (AJCEP). We appreciated Japan's assistance on the Initiative for ASEAN Integration and Other Sub-Regional Growth Areas. We further welcome Japan's strong support for the implementation of the Master Plan on ASEAN Connectivity and acknowledged the fruitful meeting conducted between the ACCC and Japan's Task Force for ASEAN Connectivity which took place in Medan in July 2011. We also expressed our appreciation to Japan's steadfast commitment and contribution to co-hosting the ASEAN Regional Forum (ARF) Disaster Relief Exercise (DiREx) in Manado, Indonesia, 14-19 March 2011.

ASEAN-New Zealand

91. We deliberated further implementation of the Joint Declaration for ASEAN-New Zealand Comprehensive Partnership and its Plan of Action for 2010-2015 and look forward to more collaborative activities being undertaken between ASEAN and New Zealand. We appreciated, in particular, New Zealand's elaboration of three of its four flagship initiatives, namely on disaster risk management programme, ASEAN-New Zealand's scholarship programme, and agriculture diplomacy, which were conceived to reinforce New Zealand's engagement in the region. We were encouraged by the steps being undertaken to implement them.

ASEAN-Republic of Korea

92. We are encouraged by the realization of the two-year Implementation Program (2011-2012) of the Joint Declaration of the ASEAN-ROK Strategic Partnership and its Plan of Action for 2011-2015. We are pleased to note the endorsement of the ASEAN-ROK Transport Cooperation Roadmap and the ASEAN-ROK Joint Project in Transport Cooperation for 2010-2014. We looked forward to the finalization of the Annual Work Plan for the Roadmap to be adopted at the 3rd ATM-ROK this year. We noted with appreciation the ASEAN-Korea Centre which has successfully organized a series of activities. We encouraged the secondment of officials by respective ASEAN Member States to ASEAN-ROK Centre. We acknowledged the finalization of negotiation of the agreement on ASEAN-Korea Forest Cooperation, and looked forward to its signing by ASEAN and ROK before the 14th ASEAN-ROK Summit this year.

ASEAN-Russia

93. We welcome the Russian Federation's support to the ASEAN integration, ASEAN Community building process and the implementation of the MPAC. We are committed to enhance cooperation between ASEAN and Russia Federation and underscored the need for greater cooperation in disaster management and emergency response, as well as in the areas of counter-terrorism and transnational crimes.

94. We welcome the commemorative activities in celebration of the 15th Anniversary of ASEAN-Russia Dialogue Partnership in 2011. In this regard, we endorsed the joint statement of the Ministers of Foreign Affairs of ASEAN and Russian Federation on the occasion of the 15th Anniversary of ASEAN-Russia Dialogue Partnership to be adopted at the PMC + 1 Session with Russia on 22 July 2011.

ASEAN-United States

95. We deliberated on efforts to further deepen the ASEAN-US partnership, particularly in enhancing the effectiveness of ASEAN-US cooperation under the existing eight (8) priority areas of cooperation. We also look forward to the convening of the ASEAN-US Eminent Persons Group to develop concrete and practical recommendations to elevate ASEAN-US cooperation into a strategic partnership to be submitted to our Leaders at the earliest opportunity. We looked forward to the ASEAN PMC+ 1 Session with the United States and its endorsement of the Plan of Action to Implement the ASEAN-US Enhanced Partnership for Enduring Peace and Prosperity (2011-2015) to the 3rd AULM for its adoption.

96. We agreed to encourage deeper economic and trade cooperation, including efforts to enhance the implementation of the ASEAN-US Trade and Investment Framework Arrangement, with the aim of further increasing trade and investment flows.

ASEAN Plus Three Cooperation

97. We acknowledged the progress made by the ASEAN Plus Three Cooperation and in the implementation of the 2nd Joint Statement on East Asia Cooperation and the ASEAN Plus Three Cooperation Work Plan (2007-2017). We reaffirmed the importance of the ASEAN Plus Three Cooperation in maintaining and enhancing peace and stability as indispensable conditions for economic development in the region and agreed to deepen political and security cooperation among ASEAN Plus Three countries.

98. We welcome the recent important developments within the framework of ASEAN Plus Three cooperation in various fields, such as the operationalization of the ASEAN Plus Three Macroeconomic Research Office (AMRO) in May 2011, as well as the initiatives for the revitalization of the East Asia Forum (EAF) and establishment of the East Asia Vision Group (EAVG) II. We looked forward to the signing of the ASEAN Plus Three Emergency Rice Reserve (APTERR) Agreement in October 2011 and the ASEAN Plus Three Memorandum of Understanding on Tourism in January 2012 in Indonesia.

ASEAN Regional Forum

99. We reasserted the importance of the ARF as a primary forum for cooperation in political and security issues in the Asia-Pacific region through dialogue and consultations. We also reiterated ASEAN's centrality and active role as the driving force within the ARF process. We reiterated our commitment to implement the Ha Noi Plan of Action to Implement the ARF Vision Statement. We welcome the finalization of the ARF Preventive Diplomacy Work Plan as a significant step in undertaking activities toward a Preventive Diplomacy phase, while continuing efforts in Confidence Building Measures. We underlined our Leaders' direction to call for synergy and complementarity between ARF and the ADMM Plus. We, therefore, encouraged further joint efforts between the ASEAN SOM and ADSOM to discuss the ideal synergy between the ARF and the ADMM Plus, through coordination, and constructive engagement and communication. Given the complexities involved, we recognized that the ARF and ADMM Plus have unique characteristics and strengths, and both forums can evolve in a way they can contribute most meaningfully to promote regional peace and stability.

III. ASEAN COMMUNITY IN A GLOBAL COMMUNITY OF NATIONS

100. We recalled the decision of the ASEAN Leaders at the 18th ASEAN Summit to develop an ASEAN common platform on global issues and to enhance ASEAN's capacity to respond to key global issues by promoting greater coordination, coherence, and cohesiveness on positions and efforts undertaken by ASEAN to address challenges and opportunities of the 21st century. As a follow-up to the task given by the ASEAN Leaders, we have commenced the preparation and development of a Declaration on ASEAN Community in a Global Community of Nations to be submitted for the Leaders' consideration and consent at the 19th ASEAN Summit, Bali, November 2011.

Partnership with the United Nations

101. In line with the vision to enhance ASEAN's role in the global community and in support of the endeavours to achieve the Millennium Development Goals, we agreed to submit the draft Joint Declaration on Comprehensive Partnership between ASEAN and the United Nations for the ASEAN Leaders and the Secretary-General of the United Nations for their consideration and adoption at the 4th ASEAN-UN Summit in Bali, Indonesia in November 2011.

IV. REGIONAL AND INTERNATIONAL ISSUES

102. We continued to emphasize the underlying norm and principles of ASEAN that differences between ASEAN Member States should be amicably resolved in the spirit of ASEAN Solidarity, in accordance with the principles contained in the TAC and the ASEAN Charter.

103. We welcome Cambodia's and Thailand's commitment to peacefully resolve their differences through political dialogue and negotiations with a view to achieving a mutually acceptable solution through the fullest utilization of their existing bilateral mechanism, with appropriate engagement of Indonesia, current Chair of ASEAN. We expressed our appreciation and support for the continuing effort of Indonesia, current Chair of ASEAN, to facilitate the process through its appropriate engagement which would help advance our collective efforts to attain the ASEAN Community.

104. We were briefed by the Union Minister for Foreign Affairs of the Republic of the Union of Myanmar on the steady progress and the political development made in the country and its enhanced relations with other countries following the General Election in 2010 and the formation of the new government on 30th March 2011. We welcome the positive developments in Myanmar and continue to render our full support to Myanmar on its efforts for national reconciliation and reconsolidation. We consider positively the willingness and readiness of Myanmar to take the Chairmanship of ASEAN in 2014, based on its firm commitment to the principles of ASEAN, and to recommend to the ASEAN Leaders for their consideration. We also welcome Myanmar's invitation extended to the ASEAN Chair to visit Myanmar at the earliest convenient time.

105. We reaffirmed our support to the efforts made to achieve denuclearization in the Korean Peninsula in a peaceful manner and urged the early resumption of the Six

Party Talks. To this end, we reiterated that the ARF, of which six participants are all members of the Six Party Talks, could be explored to create conducive atmosphere for dialogue and consultation among the parties concerned.

106. We reaffirmed our standing support and solidarity with the just cause of Palestine and stressed the intensification of continuous efforts undertaken at the international level to help advance a fair and credible peace process, that is firmly based on the relevant UN resolutions, including Security Council resolutions, the Madrid Terms of Reference, the principle of Land for Peace, the Arab Peace Initiative and the Quartet Roadmap.

107. We also expressed our continued support towards the efforts in ensuring a significant development in the Middle East Peace Process leading to the establishment of an independent Palestinian State, in accordance with the UN Security Council Resolution 242, co-existing in peace and security with Israel and supported the inter-Palestinian dialogue and reconciliation as an important part of the process.

108. We urged ASEAN Member States to support the State-building efforts being undertaken on the ground as a positive contribution toward making Palestine's independence a reality on the basis of international law and UN Resolutions.

109. We followed closely the developments in the domestic political crises in some countries in the Middle East and Northern Africa. We expressed hope that peaceful, inclusive and democratic transition would prevail and lead to social and political stability. The assistance granted by ASEAN missions in those affected countries to nationals of other ASEAN Member States would serve as the model for further cooperation in such crisis situations.

110. We highlight the need to advance economic development in Afghanistan, particularly within the framework of capacity building, such as the importance of training programs and other technical assistance in order to improve the welfare of local communities and its human resources. We further encouraged the implementation of democratic governance which is important in fostering peace, stability and security in Afghanistan.

111. We recognized the invaluable contribution of the G-20 to the global recovery and the efforts to achieve a G-20 framework for a strong, sustainable, and balanced growth. We believed that ASEAN's continued participation in the G-20 is critical to ensure that

the voice of the region is accommodated in addressing key issues pertinent to ASEAN and its people.

112. We emphasized the need of concerted efforts at the national, regional, as well as global level in responding to a series of crises ranging from commodities to finance which have deep impacts on the ability of developing countries to attain the MDGs by 2015. Despite being the most resilient region during the global financial crisis in 2008, countries in Asia and ASEAN Member States still face daunting development challenges and severe disparities between and within countries. In this respect, full implementation of the ASEAN Roadmap for the MDGs shall serve as ASEAN's contribution for both regional and global efforts towards attaining the MDGs.

113. We are pleased with the successful outcomes of the Commemorative Meeting of the 50th Anniversary of the establishment of the Non-Aligned Movement (NAM) and the XVI Ministerial Conference of NAM in Bali, May 2011. We reaffirmed our confidence in the relevance of the NAM's principles and role to promote a more peaceful and equitable world order and in the pursuit of the interests of developing countries in the multilateral fora and in the solution of global challenges.

114. We welcome the outcomes of the Asia-Europe Meeting (ASEM) Foreign Ministers Meeting (FMM) in Budapest, June 2011, and underscored the importance to further strengthen the cooperation between the two regions based on equal partnership and mutual benefit. We also welcome and reaffirmed our commitment to support the Lao PDR in hosting the 9th ASEM Summit, which will be held on 5-6 November 2012 in Vientiane.

115. While underscoring the need to strengthen international frameworks on nuclear safety and emergency preparedness, we also recognized the need to promote universal adherence to and compliance with international standards in line with the IAEA guidelines and procedures. We affirmed the central role of the IAEA to promote coordination and cooperation in the area, with relevant regional and international organization, including with ASEAN. In this regard, we also expressed support for the IAEA Ministerial Conference on Nuclear Safety on 20-21 June 2011 in Vienna where ASEAN, through a joint statement, reiterated its commitment towards enhancing cooperation with the IAEA in the areas of developing a legal framework to meet international standards on nuclear safety, establishing regional networks for early warning, developing a regional emergency preparedness and response plan, as well as in organizing capacity building activities.

116. We reiterate our long-standing call for general and complete disarmament under strict and effective international control, including the prohibition and elimination of all weapons of mass destruction (WMD), in particular nuclear weapons. We are mindful that disarmament and non-proliferation are intrinsically linked and mutually-reinforcing process. We encourage all Parties to the NPT to implement the action plans agreed during the 2010 NPT Review Conference.

117. We underscored the need to further advance reforms of the UN Security Council (UNSC) to make the Council more representative, accountable, and effective. We stressed the importance of the ongoing discussions and negotiation process in the UN General Assembly on all five key issues: categories of membership, the question of the veto held by the five permanent members, regional representation, the size of an enlarged Council and its working methods, the Security Council-General Assembly relationship. We recognized the need to achieve the widest possible political acceptance on UN Security Council reform.

118. We reaffirmed ASEAN's support for Cambodia, Malaysia, Thailand, Indonesia, and Viet Nam's candidature to become Non-Permanent Members of the UN Security Council for the year 2013-2014, 2015-2016, 2017-2018, 2019-2020, 2020-2021, respectively. In this context, we reaffirmed our support for Cambodia's bid for the Non-Permanent seat for the UNSC for 2013-2014, with the election to be held at the 67th Session of the UN General Assembly and requested Cambodia to coordinate this endeavour with the Permanent Representatives of ASEAN Member States in New York.

119. We also encouraged the practice of sharing information and supporting ASEAN Member States' candidature to UN Bodies and Organs and the Governing Boards of the UN Specialized Agencies Funds and Programs. In this regard, we supported Viet Nam's candidature to the UN Human Rights Council in 2013-2016.

V. 45th ASEAN MINISTERIAL MEETING

120. We looked forward to the 45th AMM/PMC/19th ARF to be held on 21-25 July 2012 in Phnom Penh, Cambodia.