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ภาคผนวก

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย



The ASEAN Declaration (Bangkok Declaration)
Thailand, 8 August 1967

The Presidium Minister for Political Affairs/ Minister for Foreign Affairs of Indonesia, the Deputy Prime Minister of Malaysia, the Secretary of Foreign Affairs of the Philippines, the Minister for Foreign Affairs of Singapore and the Minister of Foreign Affairs of Thailand:

MINDFUL of the existence of mutual interests and common problems among countries of South-East Asia and convinced of the need to strengthen further the existing bonds of regional solidarity and cooperation;

DESIRING to establish a firm foundation for common action to promote regional cooperation in South-East Asia in the spirit of equality and partnership and thereby contribute towards peace, progress and prosperity in the region;

CONSCIOUS that in an increasingly interdependent world, the cherished ideals of peace, freedom, social justice and economic well-being are best attained by fostering good understanding, good neighbourliness and meaningful cooperation among the countries of the region already bound together by ties of history and culture;

CONSIDERING that the countries of South-East Asia share a primary responsibility for strengthening the economic and social stability of the region and ensuring their peaceful and progressive national development, and that they are determined to ensure their stability and security from external interference in any form or manifestation in order to preserve their national identities in accordance with the ideals and aspirations of their peoples;

AFFIRMING that all foreign bases are temporary and remain only with the expressed concurrence of the countries concerned and are not intended to be used directly or indirectly to subvert the national independence and freedom of States in the area or prejudice the orderly processes of their national development;

DO HEREBY DECLARE:

FIRST, the establishment of an Association for Regional Cooperation among the countries of South-East Asia to be known as the Association of South-East Asian Nations (ASEAN).

SECOND, that the aims and purposes of the Association shall be:

1. To accelerate the economic growth, social progress and cultural development in the region through joint endeavours in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of South-East Asian Nations;
2. To promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries of the region and adherence to the principles of the United Nations Charter;
3. To promote active collaboration and mutual assistance on matters of common interest in the economic, social, cultural, technical, scientific and administrative fields;
4. To provide assistance to each other in the form of training and research facilities in the educational, professional, technical and administrative spheres;
5. To collaborate more effectively for the greater utilization of their agriculture and industries, the expansion of their trade, including the study of the problems of international commodity trade, the improvement of their transportation and communications facilities and the raising of the living standards of their peoples;
6. To promote South-East Asian studies;
7. To maintain close and beneficial cooperation with existing international and regional organizations with similar aims and purposes, and explore all avenues for even closer cooperation among themselves.

THIRD, that to carry out these aims and purposes, the following machinery shall be established:

- (a) Annual Meeting of Foreign Ministers, which shall be by rotation and referred to as ASEAN Ministerial Meeting. Special Meetings of Foreign Ministers may be convened as required.
- (b) A Standing committee, under the chairmanship of the Foreign Minister of the host country or his representative and having as its members the accredited Ambassadors of the other member countries, to carry on the work of the Association in between Meetings of Foreign Ministers.
- (c) Ad-Hoc Committees and Permanent Committees of specialists and officials on specific subjects.
- (d) A National Secretariat in each member country to carry out the work of the Association on behalf of that country and to service the Annual or Special Meetings of Foreign Ministers, the Standing Committee and such other committees as may hereafter be established.

FOURTH, that the Association is open for participation to all States in the South-East Asian Region subscribing to the aforementioned aims, principles and purposes.

FIFTH, that the Association represents the collective will of the nations of South-

East Asia to bind themselves together in friendship and cooperation and, through joint efforts and sacrifices, secure for their peoples and for posterity the blessings of peace, freedom and prosperity.

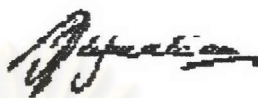
DONE in Bangkok on the Eighth Day of August in the Year One Thousand Nine Hundred and Sixty-Seven.
Seven.

For the Republic of Indonesia :



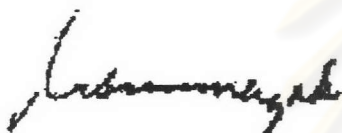
ADAM MALIK
Presidium Minister for Political
Minister for Foreign Affairs

For the Republic of Singapore :



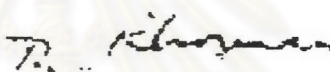
S. RAJARATNAM
Minister of Foreign Affairs

For Malaysia :



TUN ABDUL RAZAK
Deputy Prime Minister,
Minister of Defence and
Minister of National Development

For the Kingdom of Thailand :



THANAT KROMAN
Minister of Foreign Affairs

For the Republic of the Philippines :



NARCISO RAMOS
Secretary of Foreign Affairs

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย



**Declaration of ASEAN Concord
Indonesia, 24 February 1976**

The President of the Republic of Indonesia, the Prime Minister of Malaysia, the President of the Republic of the Philippines, the Prime Minister of the Republic of Singapore and the Prime Minister of the Kingdom of Thailand :

REAFFIRM their commitment to the Declarations of Bandung, Bangkok and Kuala Lumpur, and the Charter of the United Nations;

ENDEAVOUR to promote peace, progress, prosperity and the welfare of the peoples of member states;

UNDERTAKE to consolidate the achievements of ASEAN and expand ASEAN cooperation in the economic, social, cultural and political fields;

DO HEREBY DECLARE:

ASEAN cooperation shall take into account, among others, the following objectives and principles in the pursuit of political stability :

1. The stability of each member state and of the ASEAN region is an essential contribution to international peace and security. Each member state resolves to eliminate threats posed by subversion to its stability, thus strengthening national and ASEAN resilience.
2. Member states, individually and collectively, shall take active steps for the early establishment of the Zone of Peace, Freedom and Neutrality.
3. The elimination of poverty, hunger, disease and illiteracy is a primary concern of member states. They shall therefore intensify cooperation in economic and social development, with particular emphasis on the promotion of social justice and on the improvement of the living standards of their peoples.
4. Natural disasters and other major calamities can retard the pace of development of member states. They shall extend, within their capabilities, assistance for relief of member states in distress.
5. Member states shall take cooperative action in their national and regional development programmes, utilizing as far as possible the resources available in the ASEAN region to broaden the complementarity of their respective economies.
6. Member states, in the spirit of ASEAN solidarity, shall rely exclusively on peaceful processes in the settlement of intra-regional differences.

7. Member states shall strive, individually and collectively, to create conditions conducive to the promotion of peaceful cooperation among the nations of Southeast Asia on the basis of mutual respect and mutual benefit.

8. Member states shall vigorously develop an awareness of regional identity and exert all efforts to create a strong ASEAN community, respected by all and respecting all nations on the basis of mutually advantageous relationships, and in accordance with the principles of selfdetermination, sovereign equality and non-interference in the internal affairs of nations.

AND DO HEREBY ADOPT

The following programme of action as a framework for ASEAN cooperation.

A. POLITICAL

1. Meeting of the Heads of Government of the member states as and when necessary.
2. Signing of the Treaty of Amity and Cooperation in Southeast Asia.
3. Settlement of intra-regional disputes by peaceful means as soon as possible.
4. Immediate consideration of initial steps towards recognition of and respect for the Zone of Peace, Freedom and Neutrality wherever possible.
5. Improvement of ASEAN machinery to strengthen political cooperation.
6. Study on how to develop judicial cooperation including the possibility of an ASEAN Extradition Treaty.
7. Strengthening of political solidarity by promoting the harmonization of views, coordinating position and, where possible and desirable, taking common actions.

B. ECONOMIC

1. Cooperation on Basic Commodities, particularly Food and Energy
 - i) Member states shall assist each other by according priority to the supply of the individual country's needs in critical circumstances, and priority to the acquisition of exports from member states, in respect of basic commodities, particularly food and energy.
 - ii) Member states shall also intensify cooperation in the production of basic commodities particularly food and energy in the individual member states of the region.
2. Industrial Cooperation
 - i) Member states shall cooperate to establish large-scale ASEAN industrial plants particularly to meet regional requirements of essential commodities.
 - ii) Priority shall be given to projects which utilize the available materials in the member states, contribute to the increase of food production, increase foreign exchange earnings or save foreign exchange and create employment.

3. Cooperation in Trade

- i) Member states shall cooperate in the fields of trade in order to promote development and growth of new production and trade and to improve the trade structures of individual states and among countries of ASEAN conducive to further development and to safeguard and increase their foreign exchange earnings and reserves.
- ii) Member states shall progress towards the establishment of preferential trading arrangements as a long term objective on a basis deemed to be at any particular time appropriate through rounds of negotiations subject to the unanimous agreement of member states.
- iii) The expansion of trade among member states shall be facilitated through cooperation on basic commodities, particularly in food and energy and through cooperation in ASEAN industrial projects.
- iv) Member states shall accelerate joint efforts to improve access to markets outside ASEAN for their raw material and finished products by seeking the elimination of all trade barriers in those markets, developing new usage for these products and in adopting common approaches and actions in dealing with regional groupings and individual economic powers.
- v) Such efforts shall also lead to cooperation in the field of technology and production methods in order to increase the production and to improve the quality of export products, as well as to develop new export products with a view to diversifying exports.

4. Joint Approach to International Commodity Problems and Other World Economic Problems

- i) The principle of ASEAN cooperation on trade shall also be reflected on a priority basis in joint approaches to international commodity problems and other world economic problems such as the reform of international trading system, the reform on international monetary system and transfer of real resources, in the United Nations and other relevant multilateral fora, with a view to contributing to the establishment of the New International Economic Order.
- ii) Member states shall give priority to the stabilisation and increase of export earnings of those commodities produced and exported by them through commodity agreements including bufferstock schemes and other means.

5. Machinery for Economic Cooperation

Ministerial meetings on economic matters shall be held regularly or as deemed necessary in order to :

- i) formulate recommendations for the consideration of Governments of member states for the strengthening of ASEAN economic cooperation;
- ii) review the coordination and implementation of agreed ASEAN programmes and projects on economic cooperation;
- iii) exchange views and consult on national development plans and policies as a step

towards harmonizing regional development; and

iv) perform such other relevant functions as agreed upon by the member Governments.

C. SOCIAL

1. Cooperation in the field of social development, with emphasis on the well being of the low-income group and of the rural population, through the expansion of opportunities for productive employment with fair remuneration.

2. Support for the active involvement of all sectors and levels of the ASEAN communities, particularly the women and youth, in development efforts.

3. Intensification and expansion of existing cooperation in meeting the problems of population growth in the ASEAN region, and where possible, formulation of new strategies in collaboration with appropriate international agencies.

4. Intensification of cooperation among members states as well as with the relevant international bodies in the prevention and eradication of the abuse of narcotics and the illegal trafficking of drugs.

D. CULTURAL AND INFORMATION

1. Introduction of the study of ASEAN, its member states and their national languages as part of the curricula of schools and other institutions of learning in the member states.

2. Support of ASEAN scholars, writers, artists and mass media representatives to enable them to play an active role in fostering a sense of regional identity and fellowship.

3. Promotion of Southeast Asian studies through closer collaboration among national institutes.

E. SECURITY

Continuation of cooperation on a non-ASEAN basis between the member states in security matters in accordance with their mutual needs and interests.

F. IMPROVEMENT OF ASEAN MACHINERY

1. Signing of the Agreement on the Establishment of the ASEAN Secretariat.

2. Regular review of the ASEAN organizational structure with a view to improving its effectiveness.

3. Study of the desirability of a new constitutional framework for ASEAN.

DONE, at Denpasar, Bali, this Twenty-Fourth Day of February in the year One Thousand Nine Hundred and Seventy-Six.

**For the Republic
of Indonesia:**



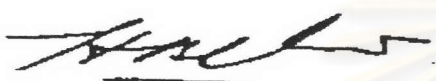
SOEHARTO
President

**For the Republic
of Singapore:**



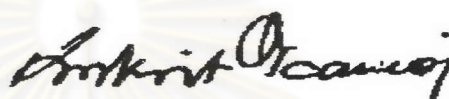
LEE KUAN YEW
Prime Minister

For Malaysia:



DATUK HUSEIN ONN
Prime Minister

**For the Kingdom
of Thailand:**



KUKRIT PRAMOJ
Prime Minister

**For the Republic
of the Philippines:**



FERDINAND E. MARCOS

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

ภาคผนวก ค



Singapore Declaration Of 1992
Singapore, 28 January 1992

1. We, the Heads of State and Government of ASEAN, are encouraged by the achievements of ASEAN in the last twenty-five years, and are convinced that ASEAN cooperation remains vital to the well-being of our peoples.

2. Having reviewed the profound international political and economic changes that have occurred since the end of the Cold War and considered their implications for ASEAN, we declare that :

- ASEAN shall move towards a higher plane of political and economic cooperation to secure regional peace and prosperity;
- ASEAN shall constantly seek to safeguard its collective interests in response to the formation of large and powerful economic groupings among the developed countries, in particular through the promotion of an open international economic regime and by stimulating economic cooperation in the region;
- ASEAN shall seek avenues to engaged member states in new areas of cooperation in security matters; and
- ASEAN shall forge a closer relationship based on friendship and cooperation with the Indochinese countries, following the settlement on Cambodia.

POLITICAL AND SECURITY COOPERATION

3. In the field of political and security cooperation, we have agreed that:

- ASEAN welcomes accession by all countries in Southeast Asia to the Treaty of Amity and Cooperation in Southeast Asia, which will provide a common framework for wider regional cooperation embracing the whole of Southeast Asia;
- ASEAN will also seek the cognizance of the United Nations for the Treaty through such means as an appropriate Resolution. This will signify ASEAN's commitment to the centrality of the UN role in the maintenance of international peace and security as well as promoting cooperation for socioeconomic development;

- ASEAN could use established fora to promote external dialogues on enhancing security in the region as well as intra-ASEAN dialogues on ASEAN security cooperation (such as the regional security seminars held in Manila and Bangkok in 1991, and the workshops on the South China Sea held in Bali in 1990 and Bandung in 1991), taking full cognizance of the Declaration of ASEAN Concord. To enhance this effort, ASEAN should intensify its external dialogues in political and security matters by using the ASEAN Post Ministerial Conferences (PMC);
- ASEAN has made major strides in building cooperative ties with states of the Asia-Pacific region and shall continue to accord them a high priority;
- ASEAN will seek to realise the Zone of Peace, Freedom and Neutrality (ZOPFAN) and a South east Asian Nuclear Weapon Free Zone (SEANWFZ) in consultation with friendly countries, taking into account changing circumstances;
- ASEAN will closely cooperate with the United Nations and the international community in ensuring the full implementation of the Peace Agreements signed in Paris in October 1991.
- ASEAN supports the Cambodian Supreme National Council in calling on the UN Secretary General to despatch UNTAC as early as possible in order to preserve the momentum of the peace process and to implement the gains realised by, the signing of the Paris Peace Agreements ASEAN calls on all parties in Cambodia to implement seriously the process of national reconciliation which is essential to a genuine and lasting peace in Cambodia; and
- ASEAN will play an active part in international programmes for the reconstruction of Vietnam, Laos and Cambodia.

4. Conscious of the central role of the United Nations in the post-Cold War, we agree that :

- The proposed Summit of members of the United Nations Security Council should help shape the United Nations' role for the promotion of a more equitable international political and economic order, and for the democratisation of the United Nations' decision-making processes in order to make the organization truly effective in meeting its obligations;
- ASEAN will participate actively in efforts to ensure that the United Nations is a key instrument for maintaining international peace and security; and
- ASEAN will encourage all efforts to strengthen the United Nations, including its role and capabilities, in peacekeeping and peacemaking, in accordance with the United Nations Charter.

DIRECTIONS IN ASEAN ECONOMIC COOPERATION

5. In the field of economic cooperation, we have agreed that:

- To further accelerate joint efforts in enhancing intra-ASEAN economic cooperation, ASEAN shall adopt appropriate new economic measures as contained in the Framework Agreement on Enhancing ASEAN Economic Cooperation directed towards sustaining ASEAN economic growth and development which are essential to the stability and prosperity of the region;
- ASEAN shall establish the ASEAN Free Trade Area using the Common Effective Preferential Tariff (CEPT) Scheme as the main mechanism within a time frame of 15 years beginning 1 January 1993 with the ultimate effective tariffs ranging from 0% to 5%. ASEAN member states have identified the following fifteen groups of products to be included in the CEPT Scheme for accelerated tariff reductions:
 - vegetable oils
 - cement
 - chemicals
 - pharmaceuticals
 - fertiliser
 - plastics
 - rubber products
 - leather products
 - pulp
 - textiles
 - ceramic and glass products
 - gems and jewellery
 - copper cathodes
 - electronics
 - wooden and rattan furniture
- ASEAN shall increase investments, industrial linkages and complementarity by adopting new and innovative measures, as well as

strengthening existing arrangements in ASEAN and providing flexibility for new forms of industrial cooperation;

- ASEAN shall strengthen and develop further cooperation in the field of capital markets, and shall encourage and facilitate free movement of capital and other financial resources;
- ASEAN shall further enhance regional cooperation to provide safe, efficient and innovative transportation and communications infrastructure network;
- ASEAN shall also continue to improve and develop the intra-country postal and telecommunications system to provide cost-effective, high quality and customer-oriented services;
- ASEAN shall adopt joint efforts to strengthen trade promotion and negotiations on ASEAN agricultural products in order to enhance ASEAN's competitive posture, and to sustain the expansion of ASEAN agricultural exports in the international markets;
- ASEAN acknowledges that sub-regional arrangements among themselves, or between ASEAN member states and non-ASEAN economies could complement overall ASEAN economic cooperation;
- ASEAN recognises the importance of strengthening and/or establishing cooperation with other countries, regional/multilateral economic organisations, as well as Asia-Pacific Economic Cooperation (APEC) and an East Asia Economic Caucus (EAEC). With regard to APEC, ASEAN attaches importance to APEC's fundamental objective of sustaining the growth and dynamism of the Asia-Pacific region. With respect to an EAEC, ASEAN recognises that consultations on issues of common concern among East Asian economies, as and when the need arises, could contribute to expanding cooperation among the region's economies, and the promotion of an open and free global trading system;
- Further, recognising the importance of non-tariff and non-border areas of cooperation to complement tariff liberalisation in increasing regional trade and investment, ASEAN shall further explore cooperation in these areas with a view to making recommendations to the Fifth ASEAN Summit;
- ASEAN shall continue with its concerted efforts in the promotion of tourism, particularly in making the Visit ASEAN Year 1992 a success;
- ASEAN shall continue to step up cooperation in other economic-related areas, such as science and technology transfer and human resource development;
- ASEAN shall enhance cooperation and collective action in international and inter-regional fora as well as in international organisations and

regional groupings. ASEAN shall also continue to enhance relations with its dialogue partners and other producing/consuming countries towards the advancement of the commodity sector in the region and in addressing international commodity issues;

- ASEAN recognises that sustained economic growth require considerable inputs of energy. As member states continue to industrialise and strengthen their industrial base, ASEAN shall focus and strengthen cooperation in energy security, conservation and the search for alternative fuels;
- ASEAN recognises the complementarity of trade and investment opportunities and therefore encourages, among others, increased cooperation and exchanges among the ASEAN private sectors, and the consideration of appropriate policies for greater intra-ASEAN investments;
- ASEAN shall continue to uphold the principles of free and open trade embodied in the General Agreement on Tariffs and Trade (GATT), and work towards maintaining and strengthening an open multilateral trading system;
- ASEAN shall work collectively to ensure that the Uruguay Round addresses the key concerns and interests of the ASEAN economies, and adopt a pragmatic and realistic approach, in using the Draft Final Text as at 20 December 1991 as a reasonable basis for completing negotiations; and
- ASEAN strongly urges major trading countries to settle their differences on agriculture and other areas, and likewise use the Draft Final Text to work towards an early and successful conclusion of the Uruguay Round.

REVIEW OF ASEAN'S EXTERNAL RELATIONS

6. In reviewing ASEAN's external relations, we have agreed that:

- ASEAN, as part of an increasingly interdependent world, should intensify cooperative relationships with its Dialogue partners, namely Australia, Canada, the European Community, Japan, the Republic of Korea, New Zealand and the United States, and engaged in consultative relationships with interested non - Dialogue countries and international organizations; and
- While ASEAN's cooperative relationships with the Dialogue partners have made significant progress, ASEAN should strengthen existing dialogue mechanisms and develop new ones where necessary for the enhancement of economic relations with these countries, especially ASEAN's major economic partners.

ASEAN FUNCTIONAL COOPERATION

7. In the field of functional cooperation, we have agreed that:

- The ASEAN member countries shall continue to enhance awareness, of ASEAN among the people in the region through the expansion of ASEAN Studies as part of Southeast Asian Studies in the school and university curricula and the introduction of ASEAN student exchange programmes at the secondary and tertiary levels of education;
- ASEAN should help hasten the development of a regional identity and solidarity, and promote human resource development by considering ways to further strengthen the existing network of the leading universities and institutions, of higher learning in the ASEAN region with a view to ultimately establishing an ASEAN University based on this expanded network;
- ASEAN functional shall be designed for a wider involvement and increased participation by women in the development of ASEAN countries in order to meet their needs and aspirations. This cooperation shall also extend to the development of children to realise their full potential;
- The ASEAN member countries shall continue to play an active part in protecting the environment by continuing to cooperate in promoting the principle of sustainable development and integrating it into all aspects of development;
- ASEAN member countries should continue to enhance environmental cooperation, particularly in issues of transboundary pollution, natural disasters, forest fires and in addressing the anti-tropical timber campaign;
- The developed countries should commit themselves to assist developing countries by providing them new and additional financial resources as well as the transfer of, and access to environmentally sound technology on concessional and preferential terms;
- The developed countries should also help to maintain an international environment supportive of economic growth and development;
- ASEAN looks forward to seeing these commitments reflected in the outcome of the United Nations Conference on Environment and Development in 1992 at Rio de Janeiro;
- As Non-governmental Organizations (NGOs) play an important role in social development, ASEAN shall encourage the exchange of information among NGOs in the region and help expand their participation in intra-ASEAN functional cooperation;

- ASEAN shall intensify its cooperation in overcoming the serious problem of drug abuse and illicit drug trafficking at the national, regional and international levels; and
- ASEAN shall make a coordinated effort in curbing the spread of AIDS by exchanging information on AIDS, particularly in the formulation and implementation of policies and programmes against the deadly disease.

RESTRUCTURING OF ASEAN INSTITUTIONS

8. To strengthen ASEAN, we have agreed that :

- ASEAN Heads of Government shall meet formally every three years with informal meetings in between;
- The ASEAN organizational structure, especially the ASEAN Secretariat, shall be streamlined and strengthened with more resources;
- The Secretary-General of the ASEAN Secretariat shall be redesignated as the Secretary-General of ASEAN with an enlarged mandate to initiate, advise, coordinate and implement ASEAN activities;
- The Secretary-General of ASEAN shall be appointed on merit and accorded ministerial status;
- The professional staff of the ASEAN Secretariat be appointed on the principle of open recruitment and based on a quota system to ensure representation of all ASEAN countries in the Secretariat;

The five present ASEAN Economic Committees be dissolved and the Senior Economic Officials Meeting (SEOM) be tasked to handle all aspects of ASEAN economic cooperation; and

A ministerial-level Council be established to supervise, coordinate and review the implementation of the Agreement on the Common Effective Preferential Tariff (CEPT) Scheme for the ASEAN Free Trade Area (AFTA).

DONE at Singapore on the 28th of January 1992.

For Brunei Darussalam:

(Sgd.)

HAJI HASSANAL BOLKIAH
Sultan of Brunei Darussalam

For the Republic of Indonesia:

(Sgd.)
SOEHARTO
President

For Malaysia:

(Sgd.)
DR MAHATHIR BIN MOHAMAD
Prime Minister

For the Republic of the Philippines:

(Sgd.)
CORAZON C AQUINO
President

For the Republic of Singapore:

(Sgd.)
GOH CHOK TONG
Prime Minister

For the Kingdom of Thailand:

(Sgd.)
ANAND PANYARACHUN
Prime Minister



ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย



**Treaty of Amity and Cooperation in Southeast Asia
Indonesia, 24 February 1976**

The High Contracting Parties :

CONSCIOUS of the existing ties of history, geography and culture, which have bound their peoples together;

ANXIOUS to promote regional peace and stability through abiding respect for justice and the rule of law and enhancing regional resilience in their relations;

DESIRING to enhance peace, friendship and mutual cooperation on matters affecting Southeast Asia consistent with the spirit and principles of the Charter of the United Nations, the Ten Principles adopted by the Asian-African Conference in Bandung on 25 April 1955, the Declaration of the Association of Southeast Asian Nations signed in Bangkok on 8 August 1967, and the Declaration signed in Kuala Lumpur on 27 November 1971;

CONVINCED that the settlement of differences or disputes between their countries should be regulated by rational, effective and sufficiently flexible procedures, avoiding negative attitudes which might endanger or hinder cooperation;

BELIEVING in the need for cooperation with all peace-loving nations, both within and outside Southeast Asia, in the furtherance of world peace, stability and harmony;

SOLEMNLY AGREE to enter into a Treaty of Amity and Cooperation as follows:

CHAPTER I : PURPOSE AND PRINCIPLES

Article 1

The purpose of this Treaty is to promote perpetual peace, everlasting amity and cooperation among their peoples which would contribute to their strength, solidarity and closer relationship,

Article 2

In their relations with one another, the High Contracting Parties shall be guided by the following fundamental principles :

a. Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations;

- b. The right of every State to lead its national existence free from external interference, subversion or coercion;
- C. Non-interference in the internal affairs of one another;
- d. Settlement of differences or disputes by peaceful means;
- e. Renunciation of the threat or use of force;
- f. Effective cooperation among themselves.

CHAPTER II : AMITY

Article 3

In pursuance of the purpose of this Treaty the High Contracting Parties shall endeavour to develop and strengthen the traditional, cultural and historical ties of friendship, good neighbourliness and cooperation which bind them together and shall fulfill in good faith the obligations assumed under this Treaty. In order to promote closer understanding among them, the High Contracting Parties shall encourage and facilitate contact and intercourse among their peoples.

CHAPTER III : COOPERATION

Article 4

The High Contracting Parties shall promote active cooperation in the economic, social, technical, scientific and administrative fields as well as in matters of common ideals and aspiration of international peace and stability in the region and all other matters of common interest.

Article 5

Pursuant to Article 4 the High Contracting Parties shall exert their maximum efforts multilaterally as well as bilaterally on the basis of equality, non-discrimination and mutual benefit.

Article 6

The High Contracting Parties shall collaborate for the acceleration of the economic growth in the region in order to strengthen the foundation for a prosperous and peaceful community of nations in Southeast Asia. To this end, they shall promote the greater utilization of their agriculture and industries, the expansion of their trade and the improvement of their economic infrastructure for the mutual benefit of their peoples. In this regard, they shall continue to explore all avenues for close and beneficial cooperation with other States as well as international and regional organisations outside the region.

Article 7

The High Contracting Parties, in order to achieve social justice and to raise the standards of living of the peoples of the region, shall intensify economic cooperation. For this purpose, they shall adopt appropriate regional strategies for economic development and mutual assistance.

Article 8

The High Contracting Parties shall strive to achieve the closest cooperation on the widest scale and shall seek to provide assistance to one another in the form of training and research facilities in the social, cultural, technical, scientific and administrative fields.

Article 9

The High Contracting Parties shall endeavour to foster cooperation in the furtherance of the cause of peace, harmony, and stability in the region. To this end, the High Contracting Parties shall maintain regular contacts and consultations with one another on international and regional matters with a view to coordinating their views actions and policies.

Article 10

Each High Contracting Parties shall not in any manner of form participate in any activity which shall constitute a treat to the political and economic stability, sovereignty, or territorial integrity of another High Contracting Party.

Article 11

The High Contracting Parties shall endeavour to strengthen their respective national resilience in their political, economic, socio-cultural as well as security fields in conformity with their respective ideals and aspirations, free from external interference as well as internal subversive activities in order to preserve their respective national identities.

Article 12

The High Contracting Parties in their efforts to achieve regional prosperity and security, shall endeavour to cooperate in all fields for the promotion of regional resilience, based on the principles of self-confidence, self-reliance, mutual respect, cooperation of solidarity which will constitute the foundation for a strong and viable community of nations in Southeast Asia.

CHAPTER IV : PACIFIC SETTLEMENT OF DISPUTES

Article 13

The High Contracting Parties shall have the determination and good faith to prevent

disputes from arising. In case disputes on matters directly affecting them shall refrain from the threat or use of force and shall at all times settle such disputes among themselves through friendly negotiations.

Article 14

To settle disputes through regional processes, the High Contracting Parties shall constitute, as a continuing body, a High Council comprising a Representative at ministerial level from each of the High Contracting Parties to take cognizance of the existence of disputes or situations likely to disturb regional peace and harmony.

Article 15

In the event no solution is reached through direct negotiations, the High Council shall take cognizance of the dispute or the situation and shall recommend to the parties in dispute appropriate means of settlement such as good offices, mediation, inquiry or conciliation. The High Council may however offer its good offices, or upon agreement of the parties in dispute, constitute itself into a committee of mediation, inquiry or conciliation. When deemed necessary, the High Council shall recommend appropriate measures for the prevention of a deterioration of the dispute or the situation.

Article 16

The foregoing provision of this Chapter shall not apply to a dispute unless all the parties to the dispute agree to their application to that dispute. However, this shall not preclude the other High Contracting Parties not party to the dispute from offering all possible assistance to settle the said dispute. Parties to the dispute should be well disposed towards such offers of assistance.

Article 17

Nothing in this Treaty shall preclude recourse to the modes of peaceful settlement contained in Article 33(1) of the Charter of the United Nations. The High Contracting Parties which are parties to a dispute should be encouraged to take initiatives to solve it by friendly negotiations before resorting to the other procedures provided for in the Charter of the United Nations.

CHAPTER V : General Provision

Article 18

This Treaty shall be signed by the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore and the Kingdom of Thailand. It shall be ratified in accordance with the constitutional procedures of each signatory State. It shall be open for accession by other States in Southeast Asia.

Article 19

This Treaty shall enter into force on the date of the deposit of the fifth instrument of ratification with the Governments of the signatory States which are designated

Depositories of this Treaty and the instruments of ratification or accession.

Article 20

This Treaty is drawn up in the official languages of the High Contracting Parties, all of which are equally authoritative. There shall be an agreed common translation of the texts in the English language. Any divergent interpretation of the common text shall be settled by negotiation.

IN FAITH THEREOF the High Contracting Parties have signed the Treaty and have hereto affixed their Seals.

DONE at Denpasar, Bali, this twenty-fourth day of February in the year one thousand nine hundred and seventy-six.

**For the Republic
of Indonesia:**



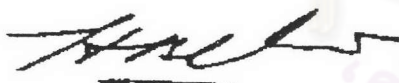
SOEHARTO
President

**For the Republic
of Singapore:**



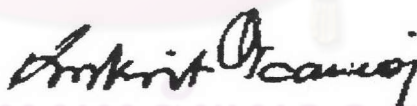
LEE KUAN YEW
Prime Minister

For Malaysia:



DATUK HUSEIN ONN
Prime Minister

**For the Kingdom
of Thailand:**



KUKRIT PRAMOJ
Prime Minister

**For the Republic
of the Philippines:**



FERDINAND E. MARCOS

ภาคผนวก จ



**Protocol Amending
the Treaty of Amity and Cooperation in Southeast Asia
Philippines, 15 December 1987**

The Government of Brunei Darussalam
The Government of the Republic of Indonesia
The Government of Malaysia
The Government of the Republic of the Philippines
The Government of the Republic of Singapore
The Government of the Kingdom of Thailand

DESIRING to further enhance cooperation With all peace-loving nations, both within and outside Southeast Asia and, in particular, neighbouring States of the Southeast Asia region

CONSIDERING Paragraph 5 of the preamble of the Treaty of Amity and Cooperation in Southeast Asia, done at Denpasar, Bali, on 24 February 1976 (hereinafter referred to as the Treaty of Amity) which refers to the need for cooperation with all peace-loving nations, both within and outside Southeast Asia, in the furtherance of world peace, stability and harmony.

HEREBY AGREE TO THE FOLLOWING:

Article 1

Article 18 of the Treaty of Amity shall be amended to read as follows:

"This Treaty shall be signed by the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore and the Kingdom of Thailand. It shall be ratified in accordance with the constitutional procedures of each signatory State.

It shall be open for accession by other States in Southeast Asia.

States outside Southeast Asia may also accede to this Treaty by the consent of all the States in Southeast Asia which are signatories to this Treaty and Brunei Darussalam."

Article 2

Article 14 of the Treaty of Amity shall be amended to read as follows:

"The settle disputes through regional processes, the High Contracting Parties shall constitute, as a continuing body, a High Council comprising a Representative at

ministerial level from each of the High Contracting Parties to take cognizance of the existence of disputes or situations likely to disturb regional peace and harmony.

However, this article shall apply to any of the States outside Southeast Asia which have acceded to the Treaty only in cases where that state is directly involved in the dispute to be settled through the regional processes."

Article 3

This Protocol shall be subject to ratification and shall come into force on the date the last instrument of ratification of the High Contracting Parties is deposited.

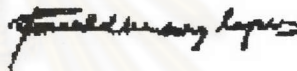
DONE at Manila, the fifteenth day of December in the year one thousand nine hundred and eighty-seven.

For Brunei Darussalam :



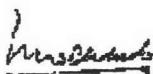
PRINCE HAJI MOHAMED BOLKIAH
Minister of Foreign Affairs

For the Republic of the Philippines :



RAUL S. MANGLAPOS
Secretary for Foreign Affairs

For the Republic of Indonesia :



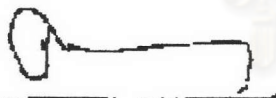
PROF. DR. MOCHTAR KUSUMAATMADJA
Minister of Foreign Affairs

For the Republic of Singapore :



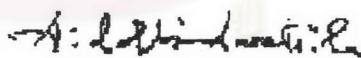
S. DHANABALAN
Minister of Foreign Affairs

For Malaysia :



DATO HAJI ABU HASAN HAJI OMAR
Minister of Foreign Affairs

For the Kingdom of Thailand :



AIR CHIEF MARSHALL SIDDIH SAVETSILA
Minister of Foreign Affairs

จุฬาลงกรณ์มหาวิทยาลัย



**SECOND PROTOCOL AMENDING THE TREATY OF AMITY
AND COOPERATION IN SOUTHEAST ASIA**

The Government of Brunei Darussalam
The Government of the Kingdom of Cambodia
The Government of the Republic of Indonesia
The Government of the Lao People's Democratic Republic
The Government of Malaysia
The Government of the Union of Myanmar
The Government of the Republic of the Philippines
The Government of the Republic of Singapore
The Government of the Kingdom of Thailand
The Government of the Socialist Republic of Vietnam
The Government of Papua New Guinea

Hereinafter referred to as the High Contracting Parties:

DESIRING to ensure that there is appropriate enhancement of cooperation with all peace-loving nations, both within and outside Southeast Asia and, in particular, neighboring States of the Southeast Asia region;

CONSIDERING Paragraph 5 of the preamble of the Treaty of Amity and Cooperation in Southeast Asia, done at Denpasar, Bali, on 24 February 1976 (hereinafter referred to as the Treaty of Amity) which refers to the need for cooperation with all peace-loving nations, both within and outside Southeast Asia, in the furtherance of world peace, stability and harmony.

HEREBY AGREE TO THE FOLLOWING:

Article 1

Article 18, Paragraph 3, of the Treaty of Amity shall be amended to read as follows:
"States outside Southeast Asia may also accede to this Treaty with the consent of all the States in Southeast Asia, namely, Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Vietnam."

Article 2

This Protocol shall be subject to ratification and shall come into force on the date the last instrument of ratification of the High Contracting Parties is deposited.

DONE at Manila, the twenty-fifth day of July in the year one thousand nine hundred and ninety-eight.

For Brunei Darussalam :



PRINCE MOHAMED BOLKIAH
Minister of Foreign Affairs

For the Union of Myanmar :



U OHN GYAW
Minister for Foreign Affairs

For the Kingdom of Cambodia :



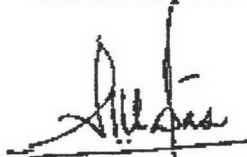
CHEM WIDHYA
Special Envoy of the
Royal Government of Cambodia

For the Republic of the Philippines :



DOMINGO L. SIAZON, JR.
Secretary of Foreign Affairs

For the Republic of Indonesia :



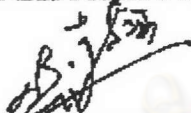
ALI ALATAS
Minister for Foreign Affairs

For the Republic of Singapore :



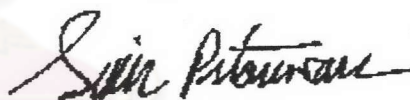
S. JAYAKUMAR
Minister for Foreign Affairs

For the Lao People's Democratic Republic :



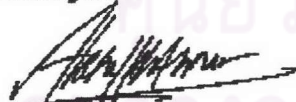
SOMSAVAT LENGSAVAD
Deputy Prime Minister and
Minister of Foreign Affairs

For the Kingdom of Thailand :



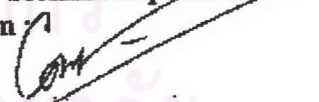
SURIN PITSUWAN
Minister of Foreign Affairs

For Malaysia :



**DATUK SERI ABDULLAH
HAJI AHMAD BADAWI**
Minister of Foreign Affairs

For the Socialist Republic of
Vietnam :



NGUYEN MANH CAM
Deputy Prime Minister and
Minister of Foreign Affairs

For Papua New Guinea :



ROY YAKI
Minister of Foreign Affairs



**RULES OF PROCEDURE OF THE HIGH COUNCIL OF
THE TREATY OF AMITY AND COOPERATION IN SOUTHEAST ASIA**

The High Contracting Parties, at their meeting held on 23 July 2001 in Hanoi, hereby adopt the Rules of Procedure of the High Council in pursuance of Article 14 of the Treaty of Amity and Cooperation in Southeast Asia signed on 24 February 1976.

PART I - PURPOSE

Rule 1

Subject to the provisions of the Treaty of Amity and Cooperation in Southeast Asia, these Rules of Procedure shall apply to the High Council of the Treaty of Amity and Cooperation in Southeast Asia and shall apply *mutatis mutandis* to any of its working groups. In the event of any conflict between any provisions of these rules and any provision of the Treaty, the Treaty shall prevail.

PART II - DEFINITIONS

Rule 2

For the purposes of these Rules:

"Treaty" means the Treaty of Amity and Cooperation in Southeast Asia, as amended by its Protocols;

"High Council" means the High Council referred to in Chapter IV of the Treaty; and

"Chairperson" means the Chairperson of the High Council appointed in accordance with these Rules; and

"High Contracting Party" means a High Contracting Party to the Treaty.

PART III - COMPOSITION

Rule 3

The High Council shall comprise:

one Representative at ministerial level from each of the High Contracting Parties which are States in Southeast Asia, namely Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Vietnam; and one Representative at ministerial level from each of the High Contracting Parties which are States outside Southeast Asia and are directly involved in the dispute which the High Council takes cognisance of pursuant to the Treaty and these Rules.

Rule 4

Each High Contracting Party shall communicate to the other High Contracting parties, through diplomatic channels, the appointment and any changes in the appointment of; its Representative in the case of a High Contracting Party referred to in Rule 3a; and in the case of a High Contracting Party referred to in Rule 3b., the person who would be its Representative if a dispute which the High Council takes cognisance of is one in which it is directly involved.

Rule 5

There shall be a Chairperson of the High Council. Subject to *Rule 21*, the Chairperson shall be:

- the Representative of the High Contracting Party which, for the time being, holds the Chair of the Standing Committee of the Association of Southeast Asian Nations (ASEAN); or
- such other Representative of a High Contracting Party which is a state in Southeast Asia as may be decided on by the High Council in accordance with these Rules.

PART IV - INITIATION OF DISPUTE SETTLEMENT PROCEDURE

Rule 6

The High Council may take cognisance over a dispute or a situation as provided for in Articles 14 to 16 of the Treaty.

The dispute settlement procedure of the High Council shall be invoked only by a High Contracting Party which is directly involved in the dispute in question.

Rule 7

A High Contracting Party seeking to invoke the dispute settlement procedure of the High Council shall do so by written communication, through diplomatic channels, to the Chairperson and to the other High Contracting Parties. The written communication shall contain a detailed statement of:

- a. the nature of the dispute or situation referred to the High Council;
- b. the parties to the dispute and their respective claims; and
- c. the basis upon which the High Council shall take cognisance of the dispute or situation pursuant to the Treaty.

A High Contracting Party shall, at least 14 days prior to giving written communication in accordance with paragraph 1 above, give written notice, through diplomatic channels, of its intention to do so to the other High Contracting Parties which are parties to the dispute.

Rule 8

On receipt of the written communication referred to in Rule 7, the Chairperson shall seek written confirmation from all the parties to the dispute, referred to in Rule 7b, that they agree to the application of the High Council's procedure as provided for in Article 16 of the Treaty.

In submitting their written confirmation, the other High Contracting Parties to the dispute may, aside from their written confirmation also provide detailed statements of the following:

- a. the nature of the dispute or situation referred to the High Council ;
- b. the parties to the dispute and their respective claims; and
- c. the basis upon which the High Council shall take cognisance of the dispute or situation pursuant to the Treaty.

Rule 9

Unless written confirmation has been received from all parties to the dispute in accordance with Rule 8, the High Council may not proceed any further on the matter.

PART V - CONVENING OF MEETINGS

Rule 10

On receipt of the written confirmations referred to in Rule 9, the Chairperson shall:

- convene a meeting of the high Council within six weeks; and
- notify all Representatives and persons referred to in Rule 4 of the meeting at least 3 weeks prior to the meeting. Such notification shall be accompanied by copies of the written communication and the written confirmations in question.

Rule 11

Meetings of the High Council shall take place in the high Contracting Party of the Chairperson or at such other location as may be decided on by the High Council.

PART VI - PROCEEDINGS AT A MEETING - GENERAL PROVISIONS

Rule 12

The quorum for meetings of the High Council shall consist of all the Representatives of the High Council.

Rule 13

A Representative may be represented by a duly authorized proxy at a meeting and may be accompanied by alternates and advisers.

Rule 14

High Contracting Parties which are States outside Southeast Asia and which are not directly involved in the dispute may, upon written request to the Chairperson be represented by observers at a meeting of the high Council, subject to the High Council deciding otherwise. An observer may speak at a meeting only if the High Council decides to accord that person this right.

Rule 15

Unless the High Council decides otherwise, the secretariat of each meeting shall be provided by the High Contracting Party in which the meeting takes place. The High Contracting Party may, for this purpose, seek the assistance of the ASEAN Secretariat.

Rule 16

Unless the High Council decides otherwise, the expenses of organizing each meeting shall be borne by the High Contracting Party in which the meeting takes place.

Rule 17

English shall be the working language of the High Council.

Rule 18

A written record of the proceedings at each meeting shall be prepared and adopted by the High Council.

PART VII - DECISION - MAKING

Rule 19

All decisions of the High Council shall be taken by consensus at a duly convened meeting.

Rule 20

Where a question arises as to whether a person referred to in Rule 4b is a Representative pursuant to Rule 3b, that person shall not be considered as a Representative for the purposes of determining the quorum for and taking the decision on this question. The person shall, however, be given the opportunity to be heard before the decision is taken.

PART VIII - PROCEEDINGS AT THE MEETING - PRELIMINARY ISSUES

Rule 21

If the Chairperson is the Representative of a High Contracting Party which is directly involved in the dispute referred to the High Council pursuant to Rule 7, he or she shall, at the start of the meeting convened pursuant to the referral, stand down as Chairperson in favour of such other Representative of a High Contracting Party which is a state in Southeast Asia as may be decided on by the High Council.

Rule 22

Before taking decisions on recommendations and other actions provided for under the Treaty, the High Council shall satisfy itself that:

- a. the dispute or situation is one which it has cognisance of pursuant to the Treaty; and

b. the conditions stipulated by the Treaty for the proposed action have been met.

PART IX - INCIDENTAL POWERS

Rule 23

Subject to the provisions of the Treaty and these Rules, the High Council may decide on and adopt other rules of procedure for its meetings.

Rule 24

The High Council may establish working groups on an ad hoc basis as are necessary to assist it in the discharge of its functions and responsibilities.

PART X - AMENDMENT

Rule 25

These Rules may be amended by the unanimous agreement in writing of the High Contracting Parties.



ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย



ASEAN VISION 2020

We, the Heads of State/Government of the Association of Southeast Asian Nations, gather today in Kuala Lumpur to reaffirm our commitment to the aims and purposes of the Association as set forth in the Bangkok Declaration of 8 August 1967, in particular to promote regional cooperation in Southeast Asia in the spirit of equality and partnership and thereby contribute towards peace, progress and prosperity in the region.

We in ASEAN have created a community of Southeast Asian nations at peace with one another and at peace with the world, rapidly achieving prosperity for our peoples and steadily improving their lives. Our rich diversity has provided the strength and inspiration to us to help one another foster a strong sense of community.

We are now a market of around 500 million people with a combined gross domestic product of US\$600 billion. We have achieved considerable results in the economic field, such as high economic growth, stability and significant poverty alleviation over the past few years. Members have enjoyed substantial trade and investment flows from significant liberalisation measures.

We resolve to build upon these achievements.

Now, as we approach the 21st century, thirty years after the birth of ASEAN, we gather to chart a vision for ASEAN on the basis of today's realities and prospects in the decades leading to the Year 2020.

That vision is of 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.

A Concert of Southeast Asian Nations

We envision the ASEAN region to be, in 2020, in full reality, a Zone of Peace, Freedom and Neutrality, as envisaged in the Kuala Lumpur Declaration of 1971.

ASEAN shall have, by the year 2020, established a peaceful and stable Southeast Asia where each nation is at peace with itself and where the causes for conflict have been eliminated, through abiding respect for justice and the rule of law and through the strengthening of national and regional resilience.

We envision a Southeast Asia where territorial and other disputes are resolved by peaceful means.

We envision the Treaty of Amity and Cooperation in Southeast Asia functioning fully as a binding code of conduct for our governments and peoples, to which other states with interests in the region adhere.

We envision a Southeast Asia free from nuclear weapons, with all the Nuclear Weapon States committed to the purposes of the Southeast Asia Nuclear Weapons Free Zone Treaty through their adherence to its Protocol. We also envision our region free from all other weapons of mass destruction.

We envision our rich human and natural resources contributing to our development and shared prosperity.

We envision the ASEAN Regional Forum as an established means for confidence-building and preventive diplomacy and for promoting conflict-resolution.

We envision a Southeast Asia where our mountains, rivers and seas no longer divide us but link us together in friendship, cooperation and commerce.

We see ASEAN as an effective force for peace, justice and moderation in the Asia-Pacific and in the world.

A Partnership in Dynamic Development

We resolve to chart a new direction towards the year 2020 called, ASEAN 2020 : Partnership in Dynamic Development which will forge closer economic integration within ASEAN.

We reiterate our resolve to enhance ASEAN economic cooperation through economic development strategies, which are in line with the aspiration of our respective peoples, which put emphasis on sustainable and equitable growth, and enhance national as well as regional resilience.

We pledge to sustain ASEAN's high economic performance by building upon the foundation of our existing cooperation efforts, consolidating our achievements, expanding our collective efforts and enhancing mutual assistance.

We commit ourselves to moving towards closer cohesion and economic integration, narrowing the gap in the level of development among Member Countries, ensuring that the multilateral trading system remains fair and open, and achieving global competitiveness.

We will create a stable, prosperous and highly competitive ASEAN Economic Region in which there is a free flow of goods, services and investments, a freer flow of capital, equitable economic development and reduced poverty and socio-economic disparities.

We resolve, inter-alia, to undertake the following:

- **maintain regional macroeconomic and financial stability by promoting closer consultations in macroeconomic and financial policies.**
- **advance economic integration and cooperation by undertaking the following general strategies: fully implement the ASEAN Free Trade Area and accelerate liberalization of trade in services, realise the ASEAN Investment Area by 2010 and free flow of investments by 2020; intensify and expand sub-regional cooperation in existing and new sub-regional growth areas; further consolidate and expand extra-ASEAN regional linkages for mutual benefit cooperate to strengthen the multilateral trading system, and reinforce the role of the business sector as the engine of growth.**
- **promote a modern and competitive small and medium enterprises (SME) sector in ASEAN which will contribute to the industrial development and efficiency of the region.**
- **accelerate the free flow of professional and other services in the region.**
- **promote financial sector liberalisation and closer cooperation in money and capital market, tax, insurance and customs matters as well as closer consultations in macroeconomic and financial policies.**
- **accelerate the development of science and technology including information technology by establishing a regional information technology network and centers of excellence for dissemination of and easy access to data and information.**
- **establish interconnecting arrangements in the field of energy and utilities for electricity, natural gas and water within ASEAN through the ASEAN Power**

Grid and a Trans-ASEAN Gas Pipeline and Water Pipeline, and promote cooperation in energy efficiency and conservation, as well as the development of new and renewable energy resources.

- enhance food security and international competitiveness of food, agricultural and forest products, to make ASEAN a leading producer of these products, and promote the forestry sector as a model in forest management, conservation and sustainable development.
- meet the ever increasing demand for improved infrastructure and communications by developing an integrated and harmonized trans-ASEAN transportation network and harnessing technology advances in telecommunication and information technology, especially in linking the planned information highways/multimedia corridors in ASEAN, promoting open sky policy, developing multi-modal transport, facilitating goods in transit and integrating telecommunications networks through greater interconnectivity, coordination of frequencies and mutual recognition of equipment-type approval procedures.
- enhance human resource development in all sectors of the economy through quality education, upgrading of skills and capabilities and training.
- work towards a world class standards and conformance system that will provide a harmonised system to facilitate the free flow of ASEAN trade while meeting health, safety and environmental needs.
- use the ASEAN Foundation as one of the instruments to address issues of unequal economic development, poverty and socioeconomic disparities.
- promote an ASEAN customs partnership for world class standards and excellence in efficiency, professionalism and service, and uniformity through harmonised procedures, to promote trade and investment and to protect the health and well-being of the ASEAN community,
- enhance intra-ASEAN trade and investment in the mineral sector and to contribute towards a technologically competent ASEAN through closer networking and sharing of information on mineral and geosciences as well as to enhance cooperation and partnership with dialogue partners to facilitate the development and transfer of technology in the mineral sector, particularly in the downstream research and the geosciences and to develop appropriate mechanism for these.

A Community of Caring Societies

We envision the entire Southeast Asia to be, by 2020, an ASEAN community conscious of its ties of history, aware of its cultural heritage and bound by a common regional identity.

We see vibrant and open ASEAN societies consistent with their respective national identities, where all people enjoy equitable access to opportunities for total human development regardless of gender, race, religion, language, or social and cultural background.

We envision a socially cohesive and caring ASEAN where hunger, malnutrition, deprivation and poverty are no longer basic problems, where strong families as the basic units of society tend to their members particularly the children, youth, women and elderly; and where the civil society is empowered and gives special attention to the disadvantaged, disabled and marginalized and where social justice and the rule of law reign.

We see well before 2020 a Southeast Asia free of illicit drugs, free of their production, processing, trafficking and use.

We envision a technologically competitive ASEAN competent in strategic and enabling technologies, with an adequate pool of technologically qualified and trained manpower, and strong networks of scientific and technological institutions and centers of excellence.

We envision a clean and green ASEAN with fully established mechanisms for sustainable development to ensure the protection of the region's environment, the sustainability of its natural resources, and the high quality of life of its peoples.

We envision the evolution in Southeast Asia of agreed rules of behaviour and cooperative measures to deal with problems that can be met only on a regional scale, including environmental pollution and degradation, drug trafficking, trafficking in women and children, and other transnational crimes.

We envision our nations being governed with the consent and greater participation of the people with its focus on the welfare and dignity of the human person and the good of the community.

We resolve to develop and strengthen ASEAN's institutions and mechanisms to enable ASEAN to realize the vision and respond to the challenges of the coming century. We also see the need for a strengthened ASEAN Secretariat with an enhanced role to support the realization of our vision.

An Outward-Looking ASEAN

We see an outward-looking ASEAN playing a pivotal role in the international fora, and advancing ASEAN's common interests. We envision ASEAN having an intensified relationship with its Dialogue Partners and other regional organisations based on equal partnership and mutual respect.

Conclusion

We pledge to our peoples our determination and commitment to bringing this ASEAN Vision for the Year 2020 into reality.

Kuala Lumpur
15 December 1997

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย



HANOI PLAN OF ACTION

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 Hanoi 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

1.2.5 Adopt prudential measures to mitigate the effects of sudden shifts in short-term capital flows.

1.3 Promote liberalisation of the financial services sector.

1.3.1 Intensify deregulation of the financial services sector; and

1.3.2 Intensify negotiations of financial sector liberalisation under the ASEAN Framework Agreement on Services (AFAS).

1.4 Intensify cooperation in money, tax and insurance matters.

1.4.1 Study the feasibility of establishing an ASEAN currency and exchange rate system;

1.4.2 Establish an ASEAN Tax Training Institute by 2003;

1.4.3 Enhance the role of "ASEAN Re Corporation Limited" as a vehicle to further promote regional cooperation in reinsurance business; and

1.4.4 Establish an ASEAN Insurance Training and Research Institute by 2003.

1.5 Develop ASEAN Capital Markets.

1.5.1 Adopt and implement internationally accepted practices and standards by the year 2003, and where appropriate at a later date especially for the new Member Countries;

1.5.2 Establish a set of minimum standards for listing rules, procedures and requirements by 2003;

1.5.3 Coordinate supervision of and programmes to strengthen capital markets;

1.5.4 Improve corporate governance, transparency and disclosure;

1.5.5 Develop a mechanism for cross-listing of SMEs among ASEAN capital markets by 2003, and where appropriate at a later date for the new Member Countries;

1.5.6 Facilitate cross-border capital flows and investments;

1.5.7 Facilitate clearing and settlement systems within ASEAN;

1.5.8 Promote securitisation in ASEAN;

1.5.9 Foster collaborative and cooperative networks among capital market research and training centres in Member States;

1.5.10 Prepare the framework to develop bond markets in ASEAN by 2000; and

1.5.11 Promote networking among development banks in Member States for financing of productive projects.

II. ENHANCE GREATER ECONOMIC INTEGRATION

To create a stable, prosperous and highly competitive ASEAN Economic Region in which there is a free flow of goods, services and investments, a freer flow of capital, equitable economic development and reduced poverty and socio-economic disparities.

2.1 Accelerate the implementation of the ASEAN Free Trade Area (AFTA).

2.1.1 Trade liberalisation

- Maximise the number of tariff lines whose CEPT tariff rates shall be reduced to 0-5% by the year 2000 (2003 for Vietnam and 2005 for Laos and Myanmar);
- Maximise the number of tariff lines whose CEPT tariff rates shall be reduced to 0% by the year 2003 (2006 for Vietnam and 2008 for Laos and Myanmar); and
- Expand the coverage of the CEPT Inclusion List by shortening the Temporary Exclusion List, Sensitive List and General Exception List.

2.1.2 Customs harmonisation

- Enhance trade facilitation in customs by simplifying customs procedures, expanding the Green Lane to cover all ASEAN products and implementing an ASEAN Harmonised Tariff Nomenclature by the year 2000;
- Promote transparency, consistency and uniformity in the classification of goods traded within ASEAN and enhance trade facilitation through the provision of facilities for obtaining pre-entry classification rulings/decisions at national and regional levels by the year 2003;
- Promote the use of transparent, consistent and uniform valuation methods and rulings through the implementation of the WTO Valuation Agreement by the year 2000;
- Operationalise and strengthen regional guidelines on mutual assistance by the year 2003 to ensure the proper application of customs laws, within the competence of the customs administrations and subject to their national laws;
- Fully operationalise the ASEAN Customs Training Network by the year 2000; and
- Undertake customs reform and modernisation, in particular to implement risk management and post-importation audit by the year 2003.

2.1.3 Standards and conformity assessment

- Harmonise product standards through alignment with international standards for products in priority sectors by the year 2000 and for regulated products by the year 2005;
- Implement the ASEAN Framework Agreement on Mutual Recognition Arrangements (MRAs) by developing sectoral MRAs in priority areas beginning in 1999; and
- Enhance the technical infrastructure and competency in laboratory testing, calibration, certification and accreditation by the year 2005, based on internationally-accepted procedures and guides; and
- Strengthen information networking on standards and technical regulation through the use of, among others, the Internet, with the aim of meeting the requirements of the WTO Agreement on Technical Barriers to Trade and WTO Agreement on the Application of Sanitary and Phytosanitary Measures.

2.1.4 Other trade facilitation activities

- Establish a mechanism of information exchange and disclosure requirements to promote transparency of government procurement regimes by the year 2003 to facilitate participation of ASEAN nationals and companies;
- Establish contact points in 1999 to facilitate ongoing exchange of the above information;
- Encourage the liberalisation of government procurement;
- Establish a mechanism of information exchange by 2003 to promote transparency of each domestic regulatory regime by publishing annual reports detailing actions taken by ASEAN Member States to deregulate their domestic regimes; and
- Encourage the increased use of regional currencies for intra-ASEAN trade transactions.

2.2 Implement the Framework Agreement on ASEAN Investment Area (AIA).

The ASEAN Investment Area aims to enhance the competitiveness of the region for attracting higher and sustainable levels of direct investment flows into and within

ASEAN. Three broad-based programmes of action shall form the thrust of the AIA arrangement. These are Cooperation and Facilitation, Promotion and Awareness, and Liberalisation Programme. These programmes shall be implemented through individual and collective action plans, within the agreed schedules and timetable. The ASEAN Investment Area is to be realised through implementing, among others, the following key measures:

- Immediately extend national treatment and open up all industries for investments. However, for some exceptions, as specified in the Temporary Exclusion List and the Sensitive List, these will be progressively liberalised to all ASEAN investors by 2010 or earlier and to all investors by 2020 in accordance with the provisions of the Framework Agreement on AIA;
- Identify and progressively eliminate restrictive investment measures;
- Liberalise rules, regulations and policies relating to investment; rules on licensing conditions; rules relating to access to domestic finance; and rules to facilitate payment, receipts and repatriation of profits by investors;
- Complete implementation of all the measures and activities identified in the Schedule 1 of "Cooperation and Facilitation Programme" under the AIA Agreement by 2010 or earlier;
- Complete implementation of all the measures and activities identified in the Schedule II of "Promotion and Awareness Programme" under the AIA Agreement by 2010 or earlier;
- Improve and enhance the measures and activities of the Cooperation and Facilitation, and Promotion and Awareness Programmes to further strengthen the implementation process of the AIA arrangement;
- Undertake active and high profile joint investment promotion activities to promote greater awareness of investment opportunities in ASEAN to global and regional investors. This shall include, among others, joint publications of investment and business information as well as databases and statistics;
- Promote freer flow of capital, skilled labour, professionals and technology among ASEAN Member States;
- Work towards establishing a comparable approach of FDI data collection, measurement and reporting among the Member States;
- Undertake activities to increase transparency of investment regimes of Member States; and
- Identify areas for technical cooperation in human resource development, R&D, infrastructure development, SME and supporting industry development, information and industrial technology development.

2.3 Liberalise Trade in Services.

The ASEAN Framework Agreement on Services will strengthen service suppliers and introduce more competition into this large and important sector of ASEAN Member's States and open new doors for service suppliers in the region.

2.3.1 Liberalisation

- Progressively liberalise trade in services by initiating a new round of negotiations beginning 1999 and ending 2001;
- Expand the scope of negotiations in services beyond the seven priority sectors, identified at the Fifth ASEAN Summit, to cover all services sectors and all modes of supply;

- Seek to accelerate the liberalisation of trade in services through the adoption of alternative approaches to liberalisation; and
- Accelerate the free flow of professional and other services in the region.

2.3.2 Facilitation

- Encourage the free exchange of information and views among professional bodies in the region with the view to achieving mutual recognition arrangements;
- Conduct an impact study by the year 2000 on the removal of transport, travel and telecommunication barriers in ASEAN; and
- Develop standard classification and categorisation of tourism products and services to facilitate the region's implementation of the General Agreement on Trade in Services (GATS) and the ASEAN Framework Agreement on Services (AFAS).

2.3.3 Cooperation

- Strengthen and enhance existing cooperation efforts in service sectors through such means as establishing or improving infrastructure facilities, joint production, marketing and purchasing arrangements, research and development and exchange of information;
- Develop cooperation activities in new sectors that are not covered by existing cooperation arrangements; and
- Cooperate to harmonise entry regulations with regard to commercial presence.

2.4 Enhance food security and global competitiveness of ASEAN's food, agriculture and forestry products.

ASEAN would strive to provide adequate levels of food supply and food accessibility within ASEAN during instances of food shortages to ensure food security and at the same time, enhance the competitiveness of its food, agriculture and forestry sectors through developing appropriate technologies to increase productivity and by promoting intra- and extra-ASEAN trade and greater private sector investment in the food, agriculture and forestry sector.

2.4.1 Strengthen food security arrangements in the region.

- Enhance ASEAN food security statistical database and information by establishing an ASEAN Food Security Information System (AFSIS) which would allow Member States to effectively forecast, plan and manage food supplies and utilisation of basic commodities;
- Develop a Common Framework to analyse and review the regional food trade policies in the light of the AFTA, and to enhance intra-ASEAN food trade by undertaking a study on the long-term supply and demand prospects of major food commodities (rice, corn, soybean, sugar, pulses and oilseeds) in ASEAN;
- Strengthen the food marketing system of agricultural cooperatives for enhancing food security in ASEAN; and
- Review the Agreement on the ASEAN Emergency Rice Reserve (AERR) to realise effective cross-supply arrangements of food during times of emergency.

2.4.2 Develop and Adopt Existing and New Technologies.

- Conduct collaborative research to develop new/improved technologies in food, agriculture and forestry production, post-harvest and processing activities and sharing of research results and available technology;

- Conduct R&D in critical areas to reduce the cost of inputs for food, agriculture and forestry production; and
- Strengthen programmes in food, agriculture and agro-forestry technology transfer, training and extension to increase productivity.

2.4.3 Enhance the Marketability of ASEAN Food, Agriculture and Forestry Products/Commodities.

- Develop, harmonise and adopt quality standards and regulations for food, agriculture and forestry products;
- Promote diversification of forest products; and
- Promote and implement training programmes and share and exchange expertise in the field of food, agriculture and forestry.

2.4.4 Enhance Private Sector Involvement.

Conduct a study to identify high-impact investment opportunities in key areas under the food, agriculture and forestry sectors in ASEAN and to provide essential information for investment decisions on these opportunities; and Establish networking and strategic alliances with the private sector to promote investment and joint venture opportunities in ASEAN.

2.4.5 Enhance ASEAN Cooperation and Joint Approaches in International and Regional Issues.

- Strengthen ASEAN's cooperation and joint approaches in addressing issues and problems affecting trade in the region's food, agriculture and forestry products including environment and labour issues; and
- Seek closer cooperation and negotiate, through relevant ASEAN bodies, with trading partners on market access for ASEAN products

2.4.6 Promote Capacity Building and Human Resources Development.

- Promote and implement training programmes in the field of food, agriculture and forestry, including the exchange of experts; and
- Develop and strengthen agricultural rural communities through enhanced human resource development.

2.5 Intensify industrial cooperation.

- Expedite the implementation of AICO.
- Establish a Directory of Major ASEAN Manufacturing Companies;
- Explore the merits of common competition policy;
- Increase value-added contribution of ASEAN Manufacturing Sector;
- Explore/develop other areas of cooperation that has not been covered under the existing arrangement; and
- Establish R&D/ Skill Development Centres.

2.6 Foster small and medium enterprises (SMEs).

Recognising that small and medium scale enterprises constitute the majority of industrial enterprises in ASEAN and that they play a significant role in the overall economic development of Member States, ASEAN needs to cooperate in order to develop a modern, dynamic, competitive and efficient SME sector. The SME cooperation will address priority areas of human resource development, information dissemination, access to technology and technology sharing, finance and market. The SME cooperation will also ensure the development and implementation of non-discriminatory market-oriented policies in ASEAN that will provide a more favourable environment for SME development.

2.6.1 Facilitation

- Encourage Member States to establish national export financing/credit guarantee schemes for SMEs;
- Explore the possibility of establishing regional export financing/credit guarantee scheme;
- Explore the possibility of establishing an ASEAN Investment Fund for SME; and
- Explore the possibility of establishing a trade or industrial cooperation scheme to promote intra-ASEAN cooperation for SMEs.

2.6.2 Cooperation

- Compile Member States' SME policies and best practices in selected sectors to enhance mutual understanding and possible adoption;
- Compile and provide information to SMEs on policies and opportunities including electronic media such as the Internet websites;
- Promote information networking between existing SME-related organisations in ASEAN;
- Promote awareness among SMEs on benefits and availability of other sources of finance such as venture-capital and equity;
- Enhance interactions between Government Sector Institutions (GSI) and Private Sector Institutions (PSI) on SME development by convening biennial GSI/PSI conference;
- Undertake selected sectoral regional study on the potential areas of finance, market, production technology and management for possible trade and industrial cooperation between/among SMEs in the region;
- Organise annual ASEAN match-making workshops to promote SME joint-ventures and linkages between SMEs and LSEs;
- Organise annual joint ASEAN trade promotion activities/trade exposition;
- Encourage national venture-capital company to go regional;
- Organise annual meetings of all national Credit Guarantee Corporations (CGC) in ASEAN;
- Harness the capacity of non-ASEAN SMEs as a source of technology to ASEAN SMEs;
- Organise biennial ASEAN technology exposition;
- Organise regular joint training programmes, seminars and workshops for SMEs;
- Compile and publish a directory of resource persons in ASEAN in the area of production technology and management;
- Develop programmes on entrepreneurship development and innovation in all Member States; and
- Assist new members of ASEAN on SME development through specialised training programmes and technical assistance.

2.7 Further intellectual property cooperation.

To ensure adequate and effective protection, including legislation, administration and enforcement, of intellectual property rights in the region based on the principles of Most Favoured Nation (MFN) treatment, national treatment and transparency as set out in the TRIPS Agreement.

2.7.1 Protection

- Strengthen civil and administrative procedures and remedies against infringement of intellectual property rights and relevant legislation; and
- Provide and expand technical cooperation in relation to areas such as patent search and examination, computerisation and human resource development for the implementation of the TRIPS Agreement;

2.7.2 Facilitation

- Deepen Intellectual Property policy exchange among ASEAN Member States;
- Survey the current status of intellectual property rights protection in each ASEAN Member State with a view to studying measures, including development principles, for the effective enforcement of intellectual property rights;
- Develop a contact point list of public and business/private sector experts on intellectual property rights and a list of law enforcement officers, the latter list for the purpose of establishing a network to prevent cross-border flow of counterfeits;
- Exchange information on well-known marks as a first step in examining the possibility of establishing a region-wide trademark system;
- Exchange information on current intellectual property rights administrative systems with a view to simplifying and standardising administrative systems throughout the region;
- Ensure that intellectual property legislation conform to the TRIPS Agreement of the World Trade Organisation through the review of intellectual property laws and introduction of TRIPS-consistent laws. This would begin with a comprehensive review of existing legislation to be completed by the year 2000; and
- Strengthen intellectual property administration by setting up an ASEAN electronic database by the year 2004 on patents, designs, geographical indications, trademarks and information on copyright and layout design of integrated circuits.

2.7.3 Cooperation

- Implement an ASEAN Regional Trademark and Patent Filing System by the year 2000;
- Establish an ASEAN Regional Fund for Trademark and Patent by the year 2000;
- Finalise and implement an ASEAN Common Form for Trade Mark and Patent Applications;
- Establish a regional trademark and patent registration system; or establish a regional trademark or patent office (on voluntary basis);
- Promote accession of Member States to international treaties;
- Promote Intellectual Property public and private sector awareness;
- Introduce Intellectual Property as a subject in the curriculum of higher learning institutions;
- Develop training programmes for Intellectual Property officials; and
- Enhance intellectual property enforcement and protection through establishing mechanisms for the dissemination of information on ASEAN intellectual property administration, registration and infringement; facilitating interaction among legal and judicial bodies through seminars, etc.; facilitating networking among intellectual enforcement agencies; encouraging bilateral/plurilateral

arrangements on mutual protection and joint cooperation in enforcement of Intellectual Property Rights.

2.8 Encourage electronic commerce.

2.8.1 Create policy and legislative environment to facilitate cross-border Electronic Commerce;

2.8.2 Ensure the coordination and adoption of framework and standards for cross-border Electronic Commerce, which is in line with international standards and practices; and

2.8.3 Encourage technical cooperation and technology transfer among Member States in the development of Electronic Commerce infrastructure, applications and services.

2.9 Promote ASEAN tourism.

2.9.1 Launch the Visit ASEAN Millennium Year as the catalytic focus for the first plan of action;

2.9.2 Conduct Strategic Studies for Joint Marketing of the ASEAN Region in the 21st Century, and the convening of Top-level Tourism Marketing Missions to promote the region;

2.9.3 Develop a Website/Information Database on relevant tourism statistical data and other related information within the ASEAN Secretariat by the beginning of the year 2000;

2.9.4 Establish a Network among ASEAN Tourism Training Centres with emphasis on new job skills and new technologies by 2001 in tourism policy and planning;

2.9.5 Develop trainer and training material database for ASEAN to be completed by 2001;

2.9.6 Conduct Eco-Tourism Promotion Programmes for Travel Trade and Consumers;

2.9.7 Complete cruise tourism development study in ASEAN by the year 2000.

2.9.8 Encourage the establishment of the ASEAN Lane for facilitating intra-ASEAN travel;

2.9.9 Increase the use of the Internet or other electronic global distribution systems in the ASEAN travel industry; and

2.9.10 Launch the ASEAN Tourism Investment Guide in 1999.

2.10 Develop regional infrastructure.

To intensify cooperation in the development of highly efficient and quality infrastructure, and in the promotion and progressive liberalisation of these services sectors:

2.10.1 Transport

- Develop the Trans-ASEAN transportation network by the year 2000 as the trunkline or main corridor for the movement of goods and people in ASEAN, consisting of major road (interstate highway) and railway networks, principal ports and sea lanes for maritime traffic, inland waterway transport and major civil aviation links;
- Operationalise the ASEAN Framework Agreement on the Facilitation of Goods in Transit by year 2000. For this purpose, its implementing Protocols will be finalised and concluded by December 1999;
- Target the conclusion and operationalisation of the ASEAN Framework Agreement on the Facilitation of Inter-State Transport by the year 2000;
- Implement the ASEAN Framework Agreement on Multimodal Transport;

- Develop a Maritime/Shipping Policy for ASEAN to cover, among others, transshipment, enhancing the competitiveness of ASEAN ports, further liberalisation of maritime transport services, and the integration of maritime transport in the intermodal and logistics chain;
- Adopt harmonised standards and regulations with regard to vehicle specifications (e.g. width, length, height and weight), axle load limits, maximum weights and pollution or emission standards;
- Institute the policy framework and modalities by the year 2000 for the development of a Competitive Air Services Policy which may be a gradual step towards an Open Sky Policy in ASEAN; and
- Develop and implement the Singapore-Kunming Rail Link and the ASEAN Highway Network Projects.

2.10.2 Telecommunications

- Achieve the interoperability and interconnectivity of the National Information Infrastructures (NIIs) of Member States by the year 2010;
- Develop and implement an ASEAN Plan of Action on Regional Broadband Interconnectivity by the year 2000; and
- Intensify cooperation in ensuring seamless roaming of telecommunications services (i.e., wireless communications) within the region, as well as in facilitating intra-ASEAN trade in telecommunications equipment and services.

2.10.3 Energy

- Ensure security and sustainability of energy supply, efficient utilisation of natural energy resource in the region and the rational management of energy demand, with due consideration of the environment; and
- Institute the policy framework and implementation modalities by 2004 for the early realization of the trans-ASEAN energy networks covering the ASEAN Power Grid and the Trans-ASEAN Gas Pipeline Projects as a more focused continuation of the Medium-Term Programme of Action (1995-1999).

2.10.4 Water utility

- Cooperate on a regular basis, exchange of information, knowledge, and experiences among Member States as means to improve water resources management and water supply system within the region; and
- Support the development of Trans-ASEAN land and submarine pipeline for conveyance of raw water between ASEAN Member States.

2.11 Further development of growth areas.

To narrow the gap in the level of development among Member States and to reduce poverty and socio-economic disparities in the region.

2.11.1 Actively expedite the implementation and further development of growth areas such as the Brunei-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA), Indonesia-Malaysia-Singapore Growth Triangle (IMS-GT), Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT), and the inter-state areas along the West-East Corridor (WEC) of Mekong Basin in Vietnam, Laos, Cambodia and North-eastern Thailand within the ASEAN-Mekong Basin Development Cooperation Scheme.

2.11.2 Facilitate the economic integration of the new Members into ASEAN.

III. PROMOTE SCIENCE & TECHNOLOGY DEVELOPMENT AND DEVELOP INFORMATION TECHNOLOGY INFRASTRUCTURE

3.1 Establish the ASEAN Information Infrastructure (AII).

3.1.1 Forge agreements among Member Countries on the design, standardization, inter-connection and inter-operability of Information Technology systems by 2001.

3.1.2 Ensure the protection of intellectual property rights and consumer rights.

3.2 Develop the information content of the AII by 2004.

3.3 Establish networks of science & technology centres of excellence and academic institutions by 2001.

3.4 Intensify research & development (R&D) in applications of strategic and enabling technologies.

3.5 Establish a technology scan mechanism and institutionalise a system of science & technology indicators by 2001.

3.6 Develop innovative systems for programme management and revenue generation to support ASEAN science and technology.

3.7 Promote greater public and private sector collaboration in science and technology, particularly in information technology.

3.8 Undertake studies on the evolution of new working conditions and living environments resulting from widespread use of information technology by 2001.

IV. PROMOTE SOCIAL DEVELOPMENT AND ADDRESS THE SOCIAL IMPACT OF THE FINANCIAL AND ECONOMIC CRISIS

4.1 Strive to mitigate the social impact of the regional financial and economic crisis.

4.2 Implement the Plan of Action on ASEAN Rural Development and Poverty Eradication and, in view of the financial and economic crisis, implement the ASEAN Plan of Action on Social Safety Nets to ensure that measures are taken to protect the most vulnerable sectors of our societies.

4.3 Use the ASEAN Foundation to support activities and social development programmes aimed at addressing issues of unequal economic development, poverty and socio-economic disparities.

4.4 Implement the ASEAN Plan of Action for Children which provides for the framework for ensuring the survival, protection and development of children.

4.5 Strengthen ASEAN collaboration in combating the trafficking in, and crimes of violence against, women and children.

4.6 Enhance the capacity of the family and community to care for the elderly and the disabled.

4.7 Strengthen the ASEAN Regional Aids Information and Reference Network.

4.8 Enhance exchange of information in the field of human rights among ASEAN Countries in order to promote and protect all human rights and fundamental freedoms of all peoples in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and the Vienna Declaration and Programme of Action.

4.9 Work towards the full implementation of the Convention on the Rights of the Child and the Convention on the Elimination of all Forms of Discrimination against Women and other international instruments concerning women and children.

4.10 Strengthen regional capacity to address transnational crime.

4.11 Implement the ASEAN Work Programme to operationalise the ASEAN Plan of Action on Drug Abuse Control by 2004, and continue developing and implementing high-profile flagship programmes on drug abuse control, particularly those related to prevention education for youth, and treatment and rehabilitation.

V. PROMOTE HUMAN RESOURCE DEVELOPMENT

5.1 Strengthen the ASEAN University Network and move forward the process of transforming it into the ASEAN University.

5.2 Strengthen the education systems in Member Countries by 2001 so that all groups of people, including the disadvantaged, can have equal access to basic, general and higher education.

5.3 Implement the ASEAN Work Programme on Informal Sector Development to provide opportunities for self-employment and entrepreneurship.

5.4 Implement the ASEAN Work Programme on Skills Training for Out-of-School Youth by 2004, to strengthen their capacity to obtain gainful employment.

5.5 Strengthen regional networking of HRD centres of excellence and develop the regional capacity for HRD planning and labour market monitoring.

5.6 Establish and strengthen networks in education and training, particularly those promoting occupational safety and health, skills training for out-of-school youth, distance education by 2004.

5.7 Intensify efforts of the ASEAN Network for Women in Skills Training to enhance the capacity of disadvantaged women to enter the work force.

5.8 Begin to implement the ASEAN Science and Technology Human Resource Programme addressing the needs of industry and business by 2000.

5.9 Implement regional training programmes for ASEAN Civil Service Officers and strengthen networks among ASEAN Civil Service Commissions.

5.10 Establish networks of professional accreditation bodies to promote regional mobility and mutual recognition of technical and professional credentials and skills standards, beginning in 1999.

VI. PROTECT THE ENVIRONMENT AND PROMOTE SUSTAINABLE DEVELOPMENT

6.1 Fully implement the ASEAN Cooperation Plan on Transboundary Pollution with particular emphasis on the Regional Haze Action Plan by the year 2001.

6.2 Strengthen the ASEAN Specialized Meteorological Centre with emphasis on the ability to monitor forest and land fires and provide early warning on transboundary haze by the year 2001.

6.3 Establish the ASEAN Regional Research and Training Centre for Land and Forest Fire Management by the year 2004.

6.4 Strengthen the ASEAN Regional Centre for Biodiversity Conservation by establishing networks of relevant institutions and implement collaborative training and research activities by the year 2001.

6.5 Promote regional coordination for the protection of the ASEAN Heritage Parks and Reserves.

6.6 Develop a framework and improve regional coordination for the integrated protection and management of coastal zones by the year 2001.

6.7 Strengthen institutional and legal capacities to implement Agenda 21 and other international environmental agreements by the year 2001.

6.8 Harmonise the environmental databases of Member Countries by the year 2001.

6.9 Implement an ASEAN regional water conservation programme by the year 2001.

6.10 Establish a regional centre or network for the promotion of environmentally sound technologies by the year 2004.

6.11 Formulate and adopt an ASEAN Protocol on access to genetic resources by the year 2004.

6.12 Develop a Regional Action Plan for the Protection of the Marine Environment from Land-based and Sea-based Activities by the year 2004.

6.13 Implement the Framework to Achieve Long-Term Environmental Goals for Ambient Air and River Water Qualities for ASEAN Countries.

6.14 Enhance regional efforts in addressing climatic change.

6.15 Enhance public information and education in awareness of and participation in environmental and sustainable development issues.

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.

9.4 Provide and disseminate materials on ASEAN's efforts to cope with the financial and economic crisis.

9.5 Publicise ASEAN's HPA priorities through ASEAN's external mechanisms with its Dialogue Partners.

9.6 Develop linkages with mass media networks and websites on key areas of ASEAN cooperation to disseminate regular and timely information on ASEAN.

9.7 Prepare and adopt an ASEAN Declaration on Cultural Heritage by year 2000.

9.8 Mount professional productions of ASEAN performances and exhibitions within and outside ASEAN and provide adequate mass media coverage on such activities.

9.9 Organize art and cultural immersion camps and exchange programmes for the youth and encourage their travel to other ASEAN Member Countries.

9.10 Establish an ASEAN Multi-Media Centre by the year 2001 to conduct professional training programmes and provide production facilities and services for mass media and communication practitioners.

X. IMPROVE ASEAN'S STRUCTURES AND MECHANISMS

10.1 Review ASEAN's overall organisational structure in order to further improve its efficiency and effectiveness, taking into account the expansion of ASEAN activities, the enlargement of ASEAN membership, and the regional situation.

10.2 Review and streamline ASEAN external relations mechanisms with its Dialogue Partners, regional organisations and other economic groupings.

10.3 Review the role, functions and capacity of the ASEAN Secretariat to meet the increasing demands of ASEAN and to support the implementation of the Hanoi Plan of Action.

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The ASEAN Regional Forum : A Concept Paper

Introduction

1. The Asia-Pacific region is experiencing an unprecedented period of peace and prosperity. For the first time in a century or more, the guns are virtually silent. There is a growing trend among the states in the region to enhance dialogue on political and security cooperation. The Asia-Pacific is also the most dynamic region of the world in terms of economic growth. The centre of the world's economic gravity is shifting into the region. The main challenge of the ASEAN Regional Forum (ARF) is to sustain and enhance this peace and prosperity.

2. This is not an easy challenge. The region has experienced some of the most disastrous wars of the twentieth century. It is also a remarkably diverse region where big and small countries co-exist. They differ significantly in levels of development. There are cultural, ethnic, religious and historical differences to overcome. Habits of cooperation are not deep-seated in some parts of the region.

3. ASEAN has a pivotal role to play in the ARF. It has a demonstrable record of enhancing regional cooperation in the most diverse sub-region of the Asia-Pacific. It has also fostered habits of cooperation and provided the catalyst for encouraging regional cooperation in the wider Asia-Pacific region. The annual ASEAN Ministerial Meetings have contributed significantly to the positive regional environment today. There would be great hope for the Asia-Pacific if the whole region could emulate ASEAN's record of enhancing the peace and prosperity of its participants.

4. Although ASEAN has undertaken the obligation to be the primary driving force of the ARF, a successful ARF requires the active participation and cooperation of all participants. ASEAN must always be sensitive to and take into account the interests and concerns of all ARF participants.

The Challenges

5. To successfully preserve and enhance the peace and prosperity of the region, the ARF must dispassionately analyse the key challenges facing the region. Firstly, it should acknowledge that periods of rapid economic growth are often accompanied by significant shifts in power relations. This can lead to conflict. The ARF will have to carefully manage these transitions to preserve the peace. Secondly, the region is remarkably diverse. The ARF should recognise and accept the different approaches to peace and security and try to forge a consensual approach to security issues. Thirdly, the region has a residue unresolved territorial and other differences. Any one of these could spark conflagration that could undermine the peace and prosperity of the region.

Over time, the ARF will have to gradually defuse these potential problems.

6. It would be unwise for a young and fragile process like the ARF to tackle all these challenges simultaneously. A gradual evolutionary approach is required. This evolution can take place in three stages:

Stage I : Promotion of Confidence-Building Measures

Stage II: Development of Preventive Diplomacy Mechanisms

Stage III: Development of Conflict-Resolution Mechanisms

7. The participants of the first ARF Ministerial Meeting in Bangkok in July 1994 agreed on "the need to develop a more predictable and constructive pattern of relations for the Asia-Pacific region". In its initial phase, the ARF should therefore concentrate on enhancing the trust and confidence amongst participants and thereby foster a regional environment conducive to maintaining the peace and prosperity of the region.

Stage I: Promotion of Confidence-Building Measures

8. In promoting confidence-building measures, the ARF may adopt two complementary approaches. The first approach derives from ASEAN's experience, which provides a valuable and proven guide for the ARF. ASEAN has succeeded in reducing tensions among its member states, promoting region cooperation and creating a regional climate conducive to peace and prosperity without the implementation of explicit confidence-building measures, achieving conditions approximating those envisaged in the Declaration of Zone of Peace, Freedom and Neutrality (ZOPFAN). The concepts of ZOPFAN and its essential component, the Southeast Asia Nuclear Weapons-Free Zone (SEANFWZ), are significantly contributing to regional peace and stability. ASEAN's well established practices of consultation and consensus (musyawarah and mufakat) have been significantly enhanced by the regular exchanges of high-level visits among ASEAN countries. This pattern of regular visits has effectively developed into a preventive diplomacy channel. In the Asian context, there is some merit to the ASEAN approach. It emphasises the need to develop trust and confidence among neighbouring states.

9. The principles of good neighbourliness, which are elaborated in the concept of ZOPFAN, are enshrined in the 1976 Treaty of Amity and Cooperation in Southeast Asia (TAC). One simple concrete way of expanding the ASEAN experience is to encourage the ARF participants to associate themselves with the TAC. It is significant that the first ARF meeting in Bangkok agreed to "endorse the purposes and principles of ASEAN Treaty of Amity and Cooperation in Southeast Asia as a code of conduct governing relations between states and a unique diplomatic instrument for regional confidence-building, preventive diplomacy, and political and security cooperation."

10. The second approach is the implementation of concrete confidence-building measures. The first ARF meeting, in Bangkok entrusted the next Chairman of the ARF, Brunei Darussalam, to study all the ideas presented by ARF participants and to also study other relevant internationally recognised norms, principles and practices. After extensive consultations, the ASEAN countries have prepared two lists of

confidence-building measures. The first list (Annex A) spells out measures which can be explored and implemented by ARF participants in the immediate future. The second list (Annex B) is an indicative list of other proposals which can be explored over the medium and long-term by ARF participants and also considered in the immediate future by the Track Two process. These lists include possible preventive diplomacy and other measures.

11. Given the delicate nature of many of the subjects being considered by the ARF, there is merit in moving the ARF process along two tracks. Track One activities will be carried out by governments. Track Two activities will be carried out by strategic institutes and non-government organisations in the region, such as ASEAN-ISIS and CSCAP. To be meaningful and relevant, the Track Two activities may focus, as much as possible, on the current concerns of the ARF. The synergy between the two tracks would contribute greatly to confidence-building measures in the region. Over time, these Track Two activities should result in the creation of a sense of community among participants of those activities.

Moving Beyond Stage 1

12. There remains a residue of unresolved territorial and other disputes that could be sources of tension or conflict. If the ARF is to become, over time, a meaningful vehicle to enhance the peace and prosperity of the region, it will have to demonstrate that it is a relevant instrument to be used in the event that a crisis or problem emerges. The ARF meeting in Bangkok demonstrated this by taking a stand on the Korean issue at the very first meeting. This was a signal that the ARF is ready to address any challenge to the peace and security of the region.

13. Over time, the ARF must develop its own mechanisms to carry preventive diplomacy and conflict-resolution. In doing so, the ARF will unique challenges. There are no established roads or procedures for it to follow. Without a high degree of confidence among ARF participants, it is unlikely that they will agree to the establishment of mechanisms which are perceived to be intrusive and/or autonomous. This is a political reality the ARF should recognise. However, it would be useful in the initial phase for the Track Two process to consider and investigate a variety of preventive diplomacy and conflict-resolution mechanisms. A good start was made with the three workshops organised by International Studies Centre (Thailand) and Institute of Policy Studies (Singapore) on ASEAN-UN Cooperation for Peace and Preventive Diplomacy, and the Indonesia-sponsored series off workshops on the South China Sea.

Stage II: Development of Preventive Diplomacy

14. Preventive diplomacy would be a natural follow-up to confidence building measures. Some suggestions for preventive diplomacy measures are spelled out in Annexes A and B.

Stage III: Conflict Resolution

15. It is not envisaged that the ARF would establish mechanisms conflict resolution in the immediate future. The establishment of such mechanisms is an eventual goal that

ARF participants should pursue as they proceed to develop the ARF as a vehicle for promoting regional peace and stability.

Organisation of ARF activities

16. There shall be an annual ARF Ministerial Meeting, in an ASEAN capital just after the ASEAN Ministerial Meeting. The host country will chair the meeting. The incoming Chairman of the ASEAN Standing Committee will chair all inter-sessional Track One activities of the ARF.

17. The ARF shall be apprised of all Track Two activities through the current Chairman of the Track One activities, who will be the main link between Track One and Track Two activities.

18. In the initial phase of the ARF no institutionalisation is expected. Nor should a Secretariat be established in the near future. ASEAN shall be the repository of all ARF documents and information and provide the necessary support to sustain ARF activities.

19. The participants of the ARF comprise the ASEAN member states, the observers, and consultative and dialogue partners of ASEAN. Applications to participate in the ARF shall be submitted to the Chairman of the ARF who will then consult the other ARF participants.

20. The rules of procedure of ARF meetings shall be based on prevailing, ASEAN norms and practices. Decisions should be made by consensus after careful and extensive consultations. No voting will take place. In accordance with prevailing ASEAN practices, the Chairman of the ASEAN Standing Committee shall provide the secretarial support and coordinate ARF activities.

21. The ARF should also progress at a pace comfortable to all participants. The ARF should not move "too fast for those who want to go slow and not too slow for those who want to go fast".

Conclusion

22. ARF participants should not assume that the success of the ARF can be taken for granted. ASEAN's experience shows that success is a result of hard work and careful adherence to the rule of consensus. ARF participants will have to work equally hard and be equally sensitive to ensure that the ARF process stays on track.

23. The ARF must be accepted as a "sui generis" Organisation. It has no established precedents to follow. A great deal of innovation and ingenuity will be required to keep the ARF moving forward while at the same time ensure that it enjoys the support of its diverse participants. This is a major challenge both for the ASEAN countries and other ARF participants. The UN Secretary-General's "Agenda for Peace" has recognised that "just as no two regions or situations are the same, so the design of cooperative work and its division of labour must adjust to the realities of each case with flexibility and creativity".



**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;

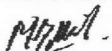
8. The Parties undertake to respect the provisions of this Declaration and take actions consistent therewith;

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.

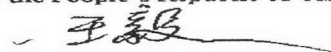
Done on the Fourth Day of November in the Year Two Thousand and Two in Phnom Penh, the Kingdom of Cambodia.

For Brunei Darussalam



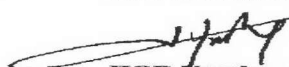
Mohamed Bolkiah
Minister of Foreign Affairs

For the People's Republic of China



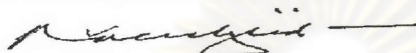
Wang Yi
Special Envoy and
Vice Minister of Foreign Affairs

For the Kingdom of Cambodia



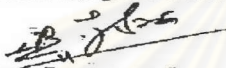
HOR Namhong
Senior Minister and Minister of
Foreign Affairs and International Cooperation

For the Republic of Indonesia



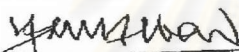
Dr. Hassan Wirayuda
Minister for Foreign Affairs

For the Lao People's Democratic Republic



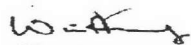
Somsavat Lengsavad
Deputy Prime Minister and
Minister for Foreign Affairs

For Malaysia



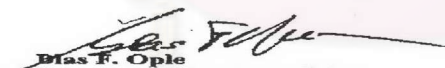
Datuk Seri Syed Hamid Albar
Minister of Foreign Affairs

For the Union of Myanmar



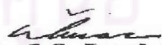
Win Aung
Minister for Foreign Affairs

For the Republic of the Philippines



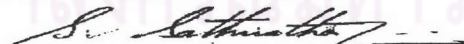
Blas F. Ople
Secretary of Foreign Affairs

For the Republic of Singapore



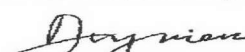
Prof. S. Jayakumar
Minister for Foreign Affairs

For the Kingdom of Thailand



Dr. Surakiart Sathirathai
Minister of Foreign Affairs

For the Socialist Republic of Viet Nam



Nguyen Dy Nien
Minister of Foreign Affairs

ภาคผนวก ฎ



**AGREEMENT ON
THE COMMON EFFECTIVE PREFERENTIAL TARIFF
SCHEME FOR THE ASEAN FREE TRADE AREA**

The Governments of Brunei Darussalam, the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore and the Kingdom of Thailand, Member States of the Association of South, East Asian Nations (ASEAN):

MINDFUL of the Declaration of ASEAN Concord signed in Bali, Indonesia on 24 February 1976 which provides that Member States shall cooperate in the field of trade in order to promote development and growth of new production and trade;

RECALLING that the ASEAN Heads of Government, at their Third Summit Meeting held in Manila on 13-15 December 1987, declared that Member States shall strengthen intra-ASEAN economic cooperation to maximise the realisation of the region's potential in trade and development;

NOTING that the Agreement on ASEAN Preferential Trading Arrangements (PTA) signed in Manila on 24 February 1977 provides for the adoption of various instruments on trade liberalisation on a preferential basis;

ADHERING to the principles, concepts and ideals of the Framework Agreement on Enhancing ASEAN Economic Cooperation signed in Singapore on 28 January 1992;

CONVINCED that preferential trading arrangements among ASEAN Member States will act as a stimulus to the strengthening of national and ASEAN Economic resilience, and the development of the national economies of Member States by expanding investment and production opportunities, trade, and foreign exchange earnings;

DETERMINED to further cooperate in the economic growth of the region by accelerating the liberalisation of intra-ASEAN trade and investment with the objective of creating the ASEAN Free Trade Area using the Common Effective Preferential Tariff (CEPT) Scheme;

DESIRING to effect improvements on the ASEAN PTA in consonance with ASEAN's international commitments;

HAVE AGREED AS FOLLOWS:

ARTICLE 1 : DEFINITIONS

For the purposes of this Agreement :

1. "*CEPT*" means the Common Effective Preferential Tariff, and it is an agreed effective tariff, preferential to ASEAN, to be applied to goods originating from ASEAN Member States, and which have been identified for inclusion in the CEPT Scheme in accordance with Articles 2 (5) and 3.
2. "*Non-Tariff Barriers*" mean measures other than tariffs which effectively prohibit or restrict import or export of products within Member States.
3. "*Quantitative restrictions*" mean prohibitions or restrictions on trade with other Member States, whether made effective through quotas, licenses or other measures with equivalent effect, including administrative measures and requirements which restrict trade.
4. "*Foreign exchange restrictions*" mean measures taken by Member States in the form of restrictions and other administrative procedures in foreign exchange which have the effect of restricting trade.
5. "*PTA*" means ASEAN Preferential Trading Arrangements stipulated in the Agreement on ASEAN Preferential Trading Arrangements, signed in Manila on 24 February 1977, and in the Protocol on Improvements on Extension of Tariff Preferences under the ASEAN Preferential Trading Arrangements (PTA), signed in Manila on 15 December 1987.
6. "*Exclusion List*" means a list containing products that are excluded from the extension of tariff preferences under the CEPT Scheme.
7. "*Agricultural products*" mean :
 - (a) agricultural raw materials/unprocessed products covered under Chapters 1-24 of the Harmonised System (HS), and similar agricultural raw materials/unprocessed products in other related HS Headings; and
 - (b) products which have undergone simple processing with minimal change in form from the original products.

ARTICLE 2 : GENERAL PROVISIONS

1. All Member States shall participate in the CEPT Scheme.
2. Identification of products to be included in the CEPT Scheme shall be on a sectoral basis, i.e., at HS 6-digit level.
3. Exclusions at the HS 8/9 digit level for specific products are permitted for those Member States, which are temporarily not ready to include such products in the CEPT Scheme. For specific products, which are sensitive to a Member State. pursuant to Article 1 (3) of the Framework Agreement on Enhancing ASEAN Economic

Cooperation, a Member State may exclude products from the CEPT Scheme, subject to a waiver of any concession herein provided for such products. A review of this Agreement shall be carried out in the eighth year to decide on the final Exclusion List or any amendment to this Agreement.

4. A product shall be deemed to be originating from ASEAN Member States, if at least 40% of its content originates from any Member State.

5. All manufactured products, including capital goods, processed agricultural products and those products falling outside the definition of agricultural products, as set out in this Agreement, shall be in the CEPT Scheme. These products shall automatically be subject to the schedule of tariff reduction, as set out in Article 4 of this Agreement. In respect of PTA items, the schedule of tariff reduction provided for in Article 4 of this Agreement shall be applied, taking into account the tariff rate after the application of the existing margin of preference (MOP) as at 31 December 1992.

6. All products under the PTA which are not transferred to the CEPT Scheme shall continue to enjoy the MOP existing as at 31 December 1992.

7. Member States, whose tariffs for the agreed products are reduced from 20% and below to 0%-5%, even though granted on an MFN basis, shall still enjoy concessions. Member States with tariff rates at MFN rates of 0%-5% shall be deemed to have satisfied the obligations under this Agreement and shall also enjoy the concessions.

ARTICLE 3 : PRODUCT COVERAGE

This Agreement shall apply to all manufactured products, - including capital goods, processed agricultural products, and those products falling outside the definition of agricultural products as set out in this Agreement. Agricultural products shall be excluded from the CEPT Scheme.

ARTICLE 4 : SCHEDULE OF TARIFF REDUCTION

1. Member States agree to the following schedule of effective preferential tariff reductions:

(a) The reduction from existing tariff rates to 20% shall be done within a time frame of 5 years to 8 years, from 1 January 1993, subject to a programme of reduction to be decided by each Member State, which shall be announced at the start of the programme. Member States are encouraged to adopt an annual rate of reduction, which shall be $(X-20)\%/5$ or 8, where X equals the existing tariff rates of individual Member States.

(b) The subsequent reduction of tariff rates from 20% or below shall be done within a time frame of 7 years. The rate of reduction shall be at a minimum of 5% quantum per reduction. A programme of reduction to be decided by each Member State shall be announced at the start of the programme.

(c) For products with existing tariff rates of 20% or below as at 1 January 1993, Member States shall decide upon a programme of tariff reductions, and announce at the start, the schedule of tariff reductions. Two or more Member States may enter into

arrangements for tariff reduction to 0%-5% on specific products at an accelerated pace to be announced at the start of the programme.

2. Subject to Articles 4 (1) (b) and 4 (1) (c) of this Agreement, products which reach, or are at tariff rates of 20% or below, shall automatically enjoy the concessions.

3. The above schedules of tariff reduction shall not prevent Member States from immediately reducing their tariffs to 0%-5% or following an accelerated schedule of tariff reduction.

ARTICLE 5 : OTHER PROVISIONS

A. Quantitative Restrictions and Non-Tariff Barriers

1. Member States shall eliminate all quantitative restrictions in respect of products under the CEPT Scheme upon enjoyment of the concessions applicable to those products.

2. Member States shall eliminate other non-tariff barriers on a gradual basis within a period of five years after the enjoyment of concessions applicable to those products.

B. Foreign Exchange Restrictions

Member States shall make exceptions to their foreign exchange restrictions relating to payments for the products under the CEPT Scheme, as well as repatriation of such payments without prejudice to their rights under Article XVIII of the General Agreement on Tariff and Trade (GATT) and relevant provisions of the Articles of Agreement of the International Monetary Fund (IMF).

C. Other Areas of Cooperation

Member States shall explore further measures on border and non-border areas of cooperation to supplement and complement the liberalisation of trade. These may include, among others, the harmonisation of standards, reciprocal recognition of tests and certification of products, removal of barriers to foreign investments, macroeconomic consultations, rules for fair competition, and promotion of venture capital.

D. Maintenance of Concessions

Member States shall not nullify or impair any of the concessions as agreed upon through the application of methods of customs valuation, any new charges or measures restricting trade, except in cases provided for in this Agreement.

ARTICLE 6 : EMERGENCY MEASURES

1. If, as a result of the implementation of this Agreement, import of a particular product eligible under the CEPT Scheme is increasing in such a manner as to cause or

threaten to cause serious injury to sectors producing like or directly competitive products in the importing Member States, the importing Member States may, to the extent and for such time as may be necessary to prevent or to remedy such injury, suspend preferences provisionally and without discrimination, subject to Article 6 (3) of this Agreement. Such suspension of preferences shall be consistent with the GATT.

2. Without prejudice to existing international obligations, a Member State, which finds it necessary to create or intensify quantitative restrictions or other measures limiting imports with a view to forestalling the threat of or stopping a serious decline of its monetary reserves, shall endeavour to do so in a manner, which safeguards the value of the concessions agreed upon.

3. Where emergency measures are taken pursuant to this Article, immediate notice of such action shall be given to the Council referred to in Article 7 of this Agreement, and such action may be the subject of consultation as provided for in Article 8 of this Agreement.

ARTICLE 7 : INSTITUTIONAL ARRANGEMENTS

1. The ASEAN Economic Ministers (AEM) shall, for the purposes of this Agreement, establish a ministerial-level Council comprising one nominee from each Member State and the Secretary-General of the ASEAN Secretariat. The ASEAN Secretariat shall provide the support to the ministerial-level Council for supervising, coordinating and reviewing the implementation of this Agreement, and assisting the AEM in all matters relating thereto. In the performance of its functions, the ministerial-level Council shall also be supported by the Senior Economic Officials' Meeting (SEOM).

2. Member States which enter into bilateral arrangements on tariff reductions pursuant to Article 4 of this Agreement shall notify all other Member States and the ASEAN Secretariat of such arrangements.

3. The ASEAN Secretariat shall monitor and report to the SEOM on the implementation of the Agreement pursuant to the Article III (2) (8) of the Agreement on the Establishment of the ASEAN Secretariat. Member States shall cooperate with the ASEAN Secretariat in the performance of its duties.

ARTICLE 8 : CONSULTATIONS

1. Member States shall accord adequate opportunity for consultations regarding any representations made by other Member States with respect to any matter affecting the implementation of this Agreement. The Council referred to in Article 7 of this Agreement, may seek guidance from the AEM in respect of any matter for which it has not been possible to find a satisfactory solution during previous consultations.

2. Member States, which consider that any other Member State has not carried out its obligations under this Agreement, resulting in the nullifications or impairment of any benefit accruing to them, may, with a view to achieving satisfactory adjustment of the matter, make representations or proposal to the other Member States concerned,

which shall give due consideration to the representations or proposal made to it.

3. Any differences between the Member States concerning the interpretation or application of this Agreement shall, as far as possible, be settled amicably between the parties. If such differences cannot be settled amicably, it shall be submitted to the Council referred to in Article 7 of this Agreement, and if necessary, to the AEM.

ARTICLE 9 : GENERAL EXCEPTIONS

Nothing in this Agreement shall prevent any Member State from taking action and adopting measures, which it considers necessary for the protection of its national security, the protection of public morals, the protection of human, animal or plant life and health, and the protection of articles of artistic, historic and archaeological value.

ARTICLE 10 : FINAL PROVISIONS

1. The respective Governments of Member States shall undertake the appropriate measures to fulfill the agreed obligations arising from this Agreement.

2. Any amendment to this Agreement shall be made by consensus and shall become effective upon acceptance by all Member States.

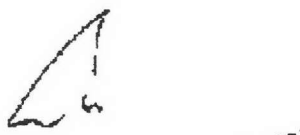
3. This Agreement shall be effective upon signing.

4. This Agreement shall be deposited with the Secretary-General of the ASEAN Secretariat, who shall likewise promptly furnish a certified copy thereof to each Member State.

5. No reservation shall be made with respect to any of the provisions of this Agreement. In witness Whereof, the undersigned, being duly authorised thereto by their respective Governments, have signed this Agreement on Common Effective Preferential Tariff (CEPT) Scheme for the Free Trade Area (AFTA).

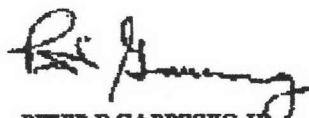
Done at Singapore, this 28th day of January, 1992 in a single copy in the English Language.

For the Government of
Brunei Darussalam :



ABDUL RAHMAN TAIB
Minister of Industry and
Primary Resources

For the Government of
The Republic of the Philippines :



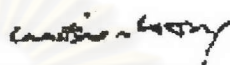
PETER D GARROCHO JR
Secretary of Trade and Industry

For the Government of
The Republic of Indonesia :



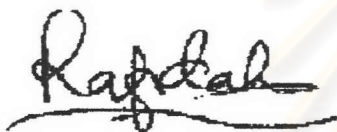
DR ARIFIN M SIREGAR
Minister of Trade

For the Government of
The Republic of Singapore :



LEE HSIEN LOONG
Deputy Prime Minister and
Minister for Trade and Industry

For the Government of Malaysia :



RAFIDAN AZIZ
Minister of International Trade
and Industry

For the Government of
the Kingdom of Thailand



AMARET SILA-ON
Minister of Commerce

ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

ภาคผนวก ฐ



**PROTOCOL
TO AMEND THE AGREEMENT
ON THE COMMON EFFECTIVE PREFERENTIAL TARIFF
SCHEME FOR THE ASEAN FREE TRADE AREA**

The Governments of Brunei Darussalam, the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore and the Kingdom of Thailand, Member States of the Association of South East Asian Nations (ASEAN);

NOTING the Agreement on the Common Effective Preferential Tariff (CEPT) Scheme for the ASEAN Free Trade Area (AFTA) ("the Agreement") signed in Singapore on 28 January 1992;

RECALLING the Protocol to Amend the Framework Agreement on Enhancing ASEAN Economic Cooperation (1992) signed on 15 December 1995 in Bangkok by the Heads of Government reflecting the acceleration of the CEPT Scheme for AFTA from the year 2008 to the year 2003;

RECOGNISING the need to amend the Agreement to reflect the latest developments in ASEAN;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Article 2, paragraphs 3,5 and 6 of the Agreement be amended to read as follows:

"3. Exclusions at the HS 8/9 digit level for specific products are permitted for those Member States, which are temporarily not ready to include such products in the CEPT Scheme. For specific products, which are sensitive to a Member State, pursuant to Article 1 (3) of the Framework Agreement on Enhancing ASEAN Economic Cooperation, a Member State may exclude products from the CEPT Scheme, subject to a waiver of any concession herein provided for such products. These temporarily excluded products are to be gradually included into the CEPT by 1 January 2000.

5. All manufactured products, including capital goods, and agricultural products shall be in the CEPT Scheme. These products shall automatically be subject to the schedule of tariff reduction set out in Article 4 of the Agreement as revised in Article 3 of this Protocol. In respect of PTA items, the schedule of tariff reduction provided for in the revised Article 4(A) set out in Article 3 of this Protocol shall be applied, taking into account the tariff rate after the application of the existing margin of preference (MOP) as at 31 December 1992.

6. All products under the PTA which are not in the list for tariff reductions of the CEPT Scheme shall continue to enjoy the MOPs existing as at 31 December 1992."

ARTICLE 2

Article 3 of the Agreement be amended to read as follows:

"This Agreement shall apply to all manufactured products including capital goods, and agricultural products."

ARTICLE 3

Article 4 of the Agreement be substituted with the following:

"Schedule of Tariff Reduction and Enjoyment of concessions

A. Schedule of Tariff Reduction

1. Member States agree to the following schedule of effective preferential tariff reductions:

a. The reduction from existing tariff rates to 20% shall be completed within a time frame of 5 years, from 1 January 1993, subject to a programme of reduction to be decided by each Member State, which shall be announced at the start of the programme. Member States are encouraged to adopt an annual rate of reduction, which shall be $(X-20)\%/5$, where X equals the existing tariff rates of individual Member States.

b. The subsequent reduction of tariff rates from 20% or below shall be completed within a time frame of 5 years. The rate of reduction shall be at a minimum of 5% quantum per reduction. A programme of reduction to be decided by each Member State shall be announced at the start of the programme.

c. For products with existing tariff rates of 20% or below as at 1 January 1993, Member States shall decide upon a programme of tariff reductions, and announce at the start, the schedule of tariff reductions.

2. The above schedules of tariff reduction shall not prevent Member States from immediately reducing their tariffs to 0%-5% or following an accelerated schedule of tariff reduction.

B. Enjoyment of Concessions

Subject to Articles 4(A) (1 b) and 4(A) (1 c) of the Agreement, products which reach, or are at tariff rates of 20% or below, shall automatically enjoy the concessions."

ARTICLE 4

The following be inserted after Article 9 as a new Article 9A to the Agreement:

"Accession of New Members

New Members of ASEAN shall accede to this Agreement on terms and conditions, which are consistent with the Framework Agreement on Enhancing ASEAN Economic Cooperation (1992) and the Agreement, and which have been agreed between them and the existing Members of ASEAN."

ARTICLE 5

This Protocol shall enter into force upon the deposit of instruments of ratification or acceptance by all signatory governments with the Secretary-General of ASEAN which shall be done not later than 1 January 1996.

This Protocol shall be deposited with the Secretary-General of ASEAN, who shall promptly furnish a certified copy thereof to each Member Country.

IN WITNESS WHEREOF, the undersigned, being duly authorised thereto by their respective Governments, have signed the Protocol to Amend the Common Effective Preferential Tariff (CEPT) Scheme for the ASEAN Free Trade Area (AFTA).

DONE at Bangkok, this 15th day of December 1995 in a single copy in the English Language.



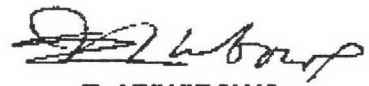
ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

For the Government of Brunei Darussalam :



ABDUL RAHMAN TAIB
Minister of Industry and
Primary Resources

For the Government of the Republic Indonesia :




T. ARWIBOWO
Minister of Industry and Trade

For the Government of Malaysia :



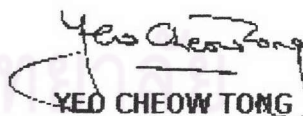
RAFIDAH AZIZ
Minister of International
Trade and Industry

For the Government of the Republic of
the Philippines :



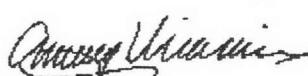
RIZALINO S. NAVARRO
Secretary of Trade and Industry

For the Government of the Republic of Singapore :



YEO CHEOW TONG
Minister for Trade and Industry

For the Government of the Kingdom of Thailand :



AMNUAY VIRAVAN
Deputy Prime Minister



**PROTOCOL
REGARDING THE IMPLEMENTATION OF THE
CEPT SCHEME TEMPORARY EXCLUSION LIST**

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam (hereinafter referred to as "ASEAN");

NOTING the Agreement on the Common Effective Preferential Tariff (CEPT) Scheme for the ASEAN Free Trade Area (AFTA) (hereinafter referred to as "the Agreement") signed in Singapore on 28 January 1992, and its relevant protocols;

REITERATING their commitment to accelerating the liberalisation of intra-ASEAN trade and investment through AFTA using the CEPT Scheme;

RECALLING the decision of the ASEAN Economic Ministers Retreat in Yangon, Myanmar on 1 May 2000 to allow limited flexibility in the implementation of the CEPT Scheme Temporary Exclusion List (hereinafter referred to as "TEL");

DESIRING to provide the flexibility in the form of a new Protocol to the Agreement, in accordance with Articles 2 and 10 thereof, so as to implement the decision;

HAVE AGREED AS FOLLOWS:

ARTICLE 1

Objective and Scope

The objective of this Protocol is to allow a Member State to temporarily delay the transfer of a product from its TEL into the Inclusion List (hereinafter referred to as "IL"), or to temporarily suspend its concession on a product already transferred into the IL, if such a transfer or concession would cause or have caused real problems, by reasons which are not covered by Article 6 (Emergency Measures) of the Agreement.

1. The provisions of this Protocol shall apply only to the last tranche of TEL manufactured products which were in the TEL as at 31 December 1999 or the relevant dates applicable to Cambodia, Lao PDR, Myanmar and Viet Nam.

ARTICLE 2

Submission

A Member State which seeks to invoke the provisions of this Protocol (hereinafter referred to as the "applicant Member State"), shall make a written submission (hereinafter referred to as the "Submission") to the ASEAN Free Trade Area Council (hereinafter referred to as the "AFTA Council").

A copy of the Submission shall be extended immediately by the ASEAN Secretariat to the Senior Economic Officials Meeting (hereinafter referred to as “SEOM”) and to the Co-ordinating Committee on the Implementation of the CEPT Scheme for AFTA (hereinafter referred to as the “CCCA”).

The Submission shall include information on the product whose transfer is to be temporarily delayed or the concession of which is temporarily suspended, the duration of the delay or the suspension requested, the reason for the request and the real problems faced.

ARTICLE 3

Consideration by the CCCA

- Subject to any decision or any other directions of the AFTA Council, the Submission shall be considered within the CCCA jointly and also separately between the applicant Member State and other Member States having principal or substantial supplying interest in the particular product.
- In the event that separate discussions are held, outcomes which have direct relevance to the implementation of the Agreement shall be reported to the CCCA.
- Such separate discussions may include provision for compensatory adjustment measures which may take any form including those under the Agreement, mutually agreed to by the applicant Member State and Member States having principal or substantial supplying interest. Member States shall ensure a general level of reciprocal and mutually advantageous concessions not less favourable to trade than that provided for and prevailing under the Agreement prior to such discussions.
- The CCCA shall submit its report on the outcome of the discussions on the Submission, including its recommendations in relation to it, to SEOM within 50 days of the date of the receipt by it of the Submission.

ARTICLE 4

Consideration by SEOM and AFTA Council

- The SEOM shall consider the report of the CCCA and forward its own report, including its recommendations, to the AFTA Council, within 50 days of the receipt by it of the report of the CCCA.
- The AFTA Council shall consider and decide on the report of the SEOM within 50 days of its receipt by the Council.
- The delay in the transfer or the suspension of the concession shall be effective upon the decision of and for the period decided by the AFTA Council.
- The total time period allowed under Articles 3 and 4, including any extension decided by the AFTA Council, shall not exceed 180 days from the date of receipt of the Submission by the AFTA Council.

ARTICLE 5

Most Favoured Nation Treatment

Any compensatory adjustment negotiated in relation to the Submission, in whatever form, to be provided by the applicant Member State, shall be extended on the most favoured nation basis to all other Member States, where applicable.

ARTICLE 6**Non-Agreement Situation**

If no agreement is reached on the Submission at the latest by 180 days of the date of receipt of the Submission by the AFTA Council and the applicant Member State nevertheless insists on proceeding with the delay of the transfer or the suspension of the concession, Member States with principal or substantial supplying interest and which have entered into separate discussions with the applicant Member State shall be free, not later than 90 days after such action is taken, to withdraw substantially equivalent concessions from the applicant Member State, upon the expiration of 30 days from the date on which written notice of the intention to make such withdrawal is received by all Member States.

ARTICLE 7**Change of Circumstances**

In the event that the circumstances giving rise to the request for the delay in transfer or the suspension of the concession cease to exist, the applicant Member State shall immediately inform all the Member States and the Secretary-General of ASEAN and, within 30 days of the date of notification, transfer the product in question from the TEL to the IL or terminate the suspension.

Any compensatory adjustment provided in relation to the delayed or suspended product shall automatically cease upon the transfer of the product into the IL or the cessation of the suspension under paragraph 1 above.

ARTICLE 8**Annual Review**

The AFTA Council shall review the delay or suspension annually.

The applicant Member State shall report each year to the AFTA Council on the status of the delay or suspension.

ARTICLE 9**Applicable Rate**

The CEPT rate to be applied to a TEL product, from the date it is to be transferred to the IL following the transfer or termination of a suspension, shall be the rate which would have applied in the particular year according to the scheduled commitments as if the delay or suspension had not occurred, or a phased reduction, with specific timeframes or schedules, to such rate, subject to the agreement of the applicant Member State and Member States having principal or substantial supplying interest.

ARTICLE 10**Settlement of Disputes**

The Protocol on Dispute Settlement Mechanism for ASEAN shall apply in relation to any dispute arising from, or any difference between Member States concerning the interpretation or application of this Protocol.

ARTICLE 11**Amendments**

Any amendment to this Protocol shall be made by consensus and shall become effective upon acceptance by all Member States.

ARTICLE 12**Final Provisions**

This Protocol shall be effective upon signing.

This Protocol shall be deposited with the Secretary-General of ASEAN, who shall promptly furnish a certified copy thereof to each Member State.

IN WITNESS WHEREOF, the undersigned being duly authorised by their respective Governments, have signed this Protocol Regarding the Implementation of the CEPT Scheme Temporary Exclusion List.

DONE at Singapore this 23rd day of November 2000 in a single copy in the English language.



ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย

ประวัติผู้เขียนวิทยานิพนธ์

นางสาวชัมย์ภรณ์ ถนอมศรีเดชชัย สำเร็จการศึกษาระดับปริญญาศึกษา (ศิลปศาสตรบัณฑิต) สาขาวิชาภาษาอังกฤษ จากคณะมนุษยศาสตร์ มหาวิทยาลัยเกษตรศาสตร์ ปี พ.ศ. 2529 และระดับบัณฑิตศึกษา (ศิลปศาสตรมหาบัณฑิต) สาขาวิชารัฐศาสตร์ จากคณะสังคมศาสตร์ มหาวิทยาลัยเกษตรศาสตร์ ปี พ.ศ. 2539

ปัจจุบันนางสาวชัมย์ภรณ์ ถนอมศรีเดชชัย รับราชการในตำแหน่งเจ้าหน้าที่พิเศษ สัมพันธ์ 6ว กรมส่งเสริมการเกษตร กระทรวงเกษตรและสหกรณ์



ศูนย์วิทยทรัพยากร
จุฬาลงกรณ์มหาวิทยาลัย