

Joint Communique of the 39th ASEAN Ministerial Meeting (AMM) Kuala Lumpur, 25 July 2006

FORGING A UNITED, RESILIENT AND INTEGRATED ASEAN

INTRODUCTION

1. We, the Foreign Ministers of the Association of Southeast Asian Nations (ASEAN), met at the 39th ASEAN Ministerial Meeting on 24-25 July 2006 in Kuala Lumpur. His Excellency Dato' Seri Syed Hamid Albar, Minister of Foreign Affairs of Malaysia and Chairman of the 39th ASEAN Standing Committee, chaired the Meeting.

2. His Excellency Sir Moi Avei, Minister for Petroleum and Energy of Papua New Guinea, and His Excellency José Luis Guterres, Minister of Foreign Affairs and Cooperation of Timor Leste, attended the Opening Ceremony of the 39th ASEAN Ministerial Meeting as a Special Observer in ASEAN and a Guest of the Chairman of the 39th ASEAN Standing Committee, respectively.

OPENING ADDRESS

3. The Honourable Dato' Seri Abdullah Ahmad Badawi, Prime Minister of Malaysia, delivered an Opening Address at the Opening Ceremony of the 39th ASEAN Ministerial Meeting. The Honourable Prime Minister of Malaysia emphasized the need for ASEAN to be steadfast in keeping its solidarity and to remain focused on achieving its common mission of fostering greater regional integration. ASEAN should adopt the approach of proceeding step-by-step, instrument-by-instrument, institution-by-institution in its community building efforts. This is the only way to ensure that ASEAN achieves true consensus on establishing a set of common values, perceptions and outlook.

4. On the building of the ASEAN Community, he underlined three overarching principles, whereby there should be a universal acceptance that community interests would prevail over national interests on issues affecting the community and that ASEAN has to do better in giving national effect to wider international treaties and conventions, including ASEAN treaties and agreements by putting in place capacities for enforcing community decisions. In addition, Member Countries must adhere to a common set of community values, though universal in nature, but are distinctly ASEAN in character. Topping the list of values must be acceptance of good governance in our respective countries and societies.

5. He looked forward to receiving the report of the Eminent Persons Group on the ASEAN Charter which would be a major leap forward in ASEAN's work of placing the building blocks for the ASEAN Community.

6. The Honourable Prime Minister also highlighted the latest developments in the Middle East which was gravely threatening international peace and security. Being responsible members of the international community, ASEAN countries should not appear indifferent to the plight of the Palestinians. He stated that we should condemn Israel's latest use of disproportionate force in Gaza and in the West Bank. We should not tolerate Israel's excessive military reprisals against Lebanon. ASEAN must make its voices heard, loudly and clearly and that ASEAN should not continue tolerating the subjugation and repression of the Palestinian people by Israel.

THE ASEAN COMMUNITY

7. We were pleased with the progress made in moving towards the realization of the ASEAN Community by the year 2020, through the implementation of the Vientiane Action Programme (VAP), and based on the three pillars, namely the ASEAN Security Community (ASC), ASEAN Economic Community (AEC) and ASEAN Socio-Cultural Community (ASCC), as enshrined in the Bali Concord II. We agreed that it was important for ASEAN to strengthen our integration efforts for all three pillars of the ASEAN community. As a follow-up to our Leaders' discussions at the 11th ASEAN Summit in Kuala Lumpur, we exchanged views on how to bring forward the realisation of the ASEAN Community from 2020 to 2015 and the possible ways of achieving this objective. We reiterated the importance of maintaining ASEAN centrality in the context of ASEAN related regional architectures to support the attainment of the objectives of the establishment of the ASEAN Community.

8. We welcomed the ongoing historic mission of the Eminent Persons Group on the ASEAN Charter to propose bold and visionary ideas for the future direction of ASEAN and provide practical recommendations on the nature of the ASEAN Charter, as mandated by the Kuala Lumpur Declaration on the Establishment of the ASEAN Charter, which was signed by our Leaders at the 11th ASEAN Summit in Kuala Lumpur, Malaysia on 12 December 2005.

9. We commended the EPG for its consultative and inclusive approach in engaging all pertinent stakeholders in ASEAN, including meetings with representatives of ASEAN Inter-Parliamentary Organisation (AIPO), Working Group for an ASEAN Human Rights Mechanism, ASEAN Institutes of Strategic and International Studies (ASEAN-ISIS), civil society organisations, ASEAN Chambers of Commerce and Industry (ASEAN-CCI) and the private sector. We reiterated our support for the EPG to continue to "think out of the box" and explore all bold and visionary ideas for the strengthening of ASEAN and its institutional framework. We are confident that the EPG's report and recommendations, which would be presented for consideration by our Leaders at the 12th ASEAN Summit in Cebu, the Philippines, would enable the Leaders to decide on the drafting of the Charter. The EPG report represents a significant contribution to the building of the ASEAN Community that is more people-centred and resilient to challenges. In this context, we agreed to establish the High Level Task Force to carry out the drafting of the ASEAN Charter after the 12th ASEAN Summit, based on the Kuala Lumpur Declaration on the Establishment of the ASEAN Charter.

10. We underlined the need to enhance the effectiveness and efficiency of ASEAN for improved coordination in its endeavours to achieve the goals and objectives of the ASEAN Community.

Vientiane Action Programme (VAP)

11. In ensuring the expeditious implementation of the VAP, we reiterated that the implementation of the three pillars of the ASEAN Community should be mutually reinforcing. We agreed to undertake greater efforts to enhance the coordination mechanism in its implementation to help us realise the goals of the ASEAN Community. We also agreed that Member Countries should take into account the need to integrate the VAP into their national development plans. In this regard, we welcomed the convening of the 5th ASEAN Senior Officials Meeting on Development Planning (SOMDP) in Kuala Lumpur on 6-7 July 2006, in facilitating the integration of ASEAN's goals, objectives and implementation of the VAP into national development plans of Member Countries. We further agreed that the Plans of Action with the respective Dialogue Partners should be in tangent with the VAP.

12. We welcomed the ASEAN Baseline Report as a crucial instrument in the evaluation of the achievements of the VAP and successor action programmes. In this regard, we reiterated the importance of regular review of the VAP to ensure that all the programmes and activities are responsive to ASEAN needs and priority.

13. We appreciated the contributions by several ASEAN Dialogue Partners to the ASEAN Development Fund (ADF), which serves as a common pool of financial resources for the implementation of the VAP. We called upon other Dialogue Partners, countries as well as international organisations to support and contribute to the ADF.

14. We underscored the importance of narrowing the development gap among ASEAN Member

Countries, which is essential for the regional integration of ASEAN. We agreed that in undertaking capacity-building projects, focus should also be given to developing policy environment that is conducive to support trade, investment and infrastructure sectors in the CLMV countries. We expressed our appreciation to our Dialogue Partners, donor countries, institutions and ASEAN Member Countries for their contributions and assistance towards ASEAN integration.

Initiative for ASEAN Integration (IAI)

15. We stressed the need for effective implementation of the recommendations in the Report of the Mid-term Review of the IAI Work Plan, which was adopted by our Leaders at the 11th ASEAN Summit in December 2005 in Kuala Lumpur. The Report has broadened the scope of the IAI to meet the urgent needs of the CLMV countries and to improve the coordination mechanism. We underlined the need to further explore innovative sources of funding to support the efforts, including through private and public initiatives and welcomed Thailand's offer to prepare a paper on this matter.

16. We welcomed the sustained efforts taken by the ASEAN-6 countries and Dialogue Partners to implement the IAI Work Plan (2002-2008) and look forward to their further support and assistance. We believed that there is a need to harmonize the IAI Work Plan projects within the framework of the 7 focus areas and to ensure that the IAI projects support the realization of the 11 priority integration sectors under the AEC.

17. We welcomed Viet Nam's offer to host the Second IAI Development Cooperation Forum (IDCF) Meeting in the first half of 2007 with a view to expediting the implementation of the IAI in bridging the development gap among ASEAN Member Countries.

ASEAN SECURITY COMMUNITY (ASC)

18. We reaffirmed our commitment under the ASC to promote and advance political and security cooperation to a higher plane in our efforts to preserve and further advance ASEAN as a peaceful, stable and developed region, living in peace with one another and with the world at large in a just, democratic and harmonious environment, including through shaping and sharing of regional norms.

19. We welcomed the convening of the Inaugural ASEAN Defence Ministers' Meeting (ADMM), held in Kuala Lumpur on 8-9 May 2006, as an important contribution to the development of the ASC. We noted that the next ADMM will be held in Singapore in 2007. We noted Indonesia's offer to host a Retreat of the ASEAN Defence Ministers in Bali during the Chairmanship of the Philippines.

20. We noted the outcome of the inaugural consultation between the Chairman of the 39th ASEAN Standing Committee and the President of the 27th ASEAN Inter-Parliamentary Organisation (AIPO) on 13 April 2006 in Kuala Lumpur as provided for under the ASC Plan of Action in the VAP. We agreed that such consultations should be held regularly.

21. We welcomed the proposal to convene the first ASC Plan of Action Coordinating Conference of the ASEAN committees / bodies responsible for the ASEAN Security Community in September 2006 for the purpose of expediting its implementation.

22. We noted the outcome of the Fifth Workshop on an ASEAN Regional Mechanism on Human Rights held on 29-30 June 2006 in Kuala Lumpur and viewed it as an important forum for continuous dialogue on the establishment of a regional human rights mechanism in ASEAN. We also noted the work carried out by the non-governmental Working Group for an ASEAN Human Rights Mechanism, including the meeting between the open-ended ASEAN SOM Troika and the Working Group at the sidelines of the 39th AMM with the objective to facilitate the implementation of the activities under the promotion of human rights component of the VAP. We further noted that the National Human Rights Commissions of Indonesia, Malaysia, the Philippines and Thailand are prepared to collaborate with the Working Group and other civil society organisations, with the view to facilitating the establishment of

an ASEAN Human Rights Mechanism.

23. In accordance with the Plan of Action to implement the ASEAN Security Community, the Ministers also agreed to begin discussions on the elaboration of an ASEAN Instrument on the Protection and Promotion of the Rights of Migrant Workers.

Treaty of Amity and Cooperation in Southeast Asia

24. We reaffirmed the importance of the Treaty of Amity and Cooperation in Southeast Asia (TAC) as an instrument of peace, security and cooperation in inter-state relations. We were gratified that a growing number of countries outside ASEAN have either acceded or expressed their interest to accede to the TAC. We regarded this as further testimony of the continued relevance of the TAC in contributing to regional peace, security and stability. In this context, we welcomed the accession of Australia on 10 December 2005 at the margins of the 11th ASEAN Summit.

25. We welcomed the decision by France to accede to the TAC. However, we noted that France was not able to accede to the Treaty during the 39th AMM/PMC/13th ARF in Kuala Lumpur due to the situation in the Middle East. We expressed the hope that France would be able to accede to the TAC soon.

26. We also reiterated our call to other Dialogue Partners and countries to accede to the TAC in the near future so as to create a favourable environment conducive for development in the region which will be beneficial not only to ASEAN but all its partners and friends as well.

South China Sea

27. We noted the convening of the Second ASEAN-China Senior Officials' Meeting on the Implementation of the Declaration on the Conduct of Parties in the South China Sea (DOC) held in Siem Reap, Cambodia in May 2006 and the convening of the First and Second Meetings of the ASEAN-China Joint Working Group on the Implementation of the DOC which were held in Manila, Philippines and Sanya City, China in August 2005 and February 2006 respectively, as a concrete step towards the full implementation of the DOC. We hoped that with the effective implementation of the DOC, ASEAN and China would move towards the early adoption of a Code of Conduct for the South China Sea.

28. We encouraged all parties concerned to continue the exercise of self-restraint and undertake confidence-building measures that would contribute to the maintenance of peace and stability in the region. In this connection, we took note of the cooperative activities already forged by some concerned parties, which yielded positive results through negotiation and dialogue, in the spirit of mutually beneficial cooperation. We also reaffirmed our commitment to resolve the dispute in the South China Sea through peaceful means in accordance with international conventions including the United Nations Convention on the Law of the Sea.

Transnational Crimes and Counter Terrorism

29. We reiterated our strong condemnation against terrorism in all its forms and manifestations and emphasised the need to address the root causes of terrorism. We reaffirmed our commitment to prevent, suppress and eliminate international terrorism in accordance with the Charter of the United Nations and international law.

30. We underscored the significant role of the ASEAN Ministers Meeting on Transnational Crime (AMMTC) in combating transnational crimes and called on the AMMTC to heighten cooperation in these areas including other relevant ASEAN bodies and ASEAN Dialogue Partners. In this regard, we also look forward to the convening of the 6th AMMTC in Brunei Darussalam in 2007.

31. We noted the successful conclusion of the Treaty on Mutual Legal Assistance in Criminal Matters (MLAT) by all ASEAN Member Countries, which would improve the effectiveness of cooperation in combating transnational crime and terrorism through mutual legal assistance in criminal matters, and expressed hope that the Treaty would be ratified by all ASEAN Member Countries. We also recalled the proposal to work towards the immediate establishment of an ASEAN extradition treaty as envisaged by the 1976 Declaration of ASEAN Concord as stipulated in the VAP, and the consequent decision by the 6th ASEAN Law Ministers Meeting (ALMM) that ASLOM would examine modalities for a model ASEAN extradition treaty.

32. We welcomed efforts to enhance the capacity of the ASEAN Member Countries in counter-terrorism including through the elaboration of an ASEAN Convention on Counter Terrorism as provided for under the VAP, and the consequent decision of the 6th SOMTC in Bali in 2006 to create a joint experts working group (EWG), comprising representatives from SOM, SOMTC and ASLOM, to work out the terms of reference and guiding principles of an ASEAN Convention on Counter Terrorism.

33. We also noted the need to pursue cooperation to prevent and combat corruption as mandated by the VAP and look forward to the convening of the ad-hoc working group meeting prior to the 7th SOMTC in Lao PDR in 2007 to further follow-up on this initiative.

34. We called for continued close cooperation between security-related bodies, such as Interpol, ASEANAPOL and the relevant national authorities, particularly relating to intelligence information sharing on terrorism. We also called upon all Member Countries to strengthen the existing technical cooperation for the development of capacity and capability of counter terrorism-related agencies and officials. In this connection, we further called for continued cooperation between the regional centres, in particular, the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT) in Kuala Lumpur, the International Law Enforcement Academy (ILEA) in Bangkok and the Jakarta Centre for Law Enforcement Cooperation (JCLEC) in Semarang.

Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ)

35. We reaffirmed the importance of vigorous efforts to further strengthen cooperation in supporting the implementation of the Treaty on the Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ). We urged the nuclear weapons States to become parties to the Protocol of the SEANWFZ Treaty as soon as possible.

36. We recalled Article 20 of the SEANWFZ Treaty of 15 December 1995, which states that "Ten years after this Treaty enters into force, a meeting of the Commission shall be convened for the purpose of reviewing the operation of the Treaty". We directed the Executive Committee of the SEANWFZ to look into the implementation of Article 20.

ASEAN Regional Forum (ARF)

37. We reaffirmed the roles of ASEAN as the primary driving force of the ARF process and the ARF as the primary forum in enhancing political and security dialogue and cooperation in the wider Asia-Pacific region as well as the pivot for building peace and security in the region. We welcomed Bangladesh's participation at the 13th ARF on 28 July 2006 as the 26th participating country in the ARF, which would contribute to further enhance political and security dialogue and cooperation in the region.

38. We commended the important progress made in the implementation of the ARF activities, which had to a great extent contributed to political stability, security, and cooperation in the Asia-Pacific region. We recognized the need to forge concrete cooperation among ARF countries in building capacity and capabilities in order to better cope with numerous challenges. While emphasizing that confidence building would continue to play a vital role in the ARF process, we welcomed the ARF's progress towards Preventive Diplomacy (PD) and look forward to the development of concrete measures in PD at a pace comfortable to all. We noted with satisfaction the progress made in the

implementation of the agreed ARF activities for the Inter-Sessional year 2005-2006.

ASEAN ECONOMIC COMMUNITY (AEC)

39. We welcomed the convening of the 38th ASEAN Economic Ministers Meeting on 21-25 August 2006 in Kuala Lumpur and noted the outcome of the 12th ASEAN Economic Ministers Retreat on 15 May 2006 in Manila. We expressed satisfaction with the substantial progress made towards the realization of the AEC. We noted the efforts made in relation to deepening the economic integration of ASEAN, which will provide the necessary impetus to sustain and boost economic growth in the region and that internal economic integration of ASEAN must be accelerated for ASEAN to maximise gains from its economic engagement with major trading partners.

40. We welcomed the efforts in implementing various measures to integrate the 11 priority sectors to realize the AEC. We were pleased with the inclusion of logistics as the 12th priority integration sector and noted the on-going discussions to identify new measures and sectors as well as evaluate existing measures for Phase 2 of the integration process.

41. We also welcomed the initiative taken by the Economic Ministers to identify and eliminate restrictive practices and non-tariff barriers to allow for unrestricted flow in trade in goods, services and investment to realise the AEC. These include initiatives taken to further establish Mutual Recognition Arrangements (MRAs) and the Plan of Action for the realization of the ASEAN Single Window (ASW), which allows for a single channel clearance of goods for the ASEAN Member Countries, by 2008 for ASEAN-6 and no later than 2012 for other Member Countries.

42. We attached great importance on the strengthening of economic linkages with ASEAN Dialogue Partners which aims at enhancing ASEAN's position as a competitive base for international production and foreign direct investment. In this context and in pursuant to the signing of the ASEAN-ROK Framework Agreement on Comprehensive Economic Cooperation at the 9th ASEAN-Republic of Korea Summit in Kuala Lumpur on 13 December 2005, we noted that the Trade in Goods Agreement between ASEAN and ROK would be implemented by no later than 1 January 2007. We noted the status of the on-going negotiations on FTAs with Dialogue Partners and expressed hope that the FTAs would be concluded in a timely manner to the mutual satisfaction of all parties.

43. We supported the initiative taken to further broaden and enhance economic relations with the European Union and the United States of America. In this respect, we noted the recommendations made in the Report of the ASEAN-EU Vision Group on Enhanced Partnership on the establishment of an ASEAN-EU FTA to foster and diversify trans-regional trade and investment flows and to deepen economic integration between the two regions in a sustainable manner. We were pleased to note that ASEAN and EU would undertake domestic consultations before any decision could be made to launch an FTA. The initiatives in pursuing these engagements are consistent with the principle of open regionalism that ASEAN has always advocated.

44. We were pleased with the new initiatives and progress in ASEAN Finance Cooperation particularly in the progress of the Roadmap for Financial and Monetary Integration of ASEAN (Ria-fin). Notable progress was made in relation to capital market development as well as the Fourth Round Negotiations on Liberalisation of Financial Services (AFAS), under a new positive list modality, which is expected to be concluded by the end of 2007. We also welcomed the efforts to promote ASEAN as an asset class.

45. We noted the projected economic growth of ASEAN at 5.8 per cent in 2006 as compared to the 5.5 per cent growth in 2005.

Energy Cooperation

46. We recognized the adverse impact of rising international oil prices on the economy of Member

Countries and hence underscored the importance of finding ways to enhance energy efficiency and increase the share of renewable energy sources in power generation and energy consumption. We called for greater regional cooperation in sharing experience, knowledge and expertise to help promote energy efficiency and development of new and renewable energy sources in the region. In this respect, we commended the efforts by the ASEAN Ministers of Energy and the ASEAN Senior Energy Officials in expediting the conclusion of the Memorandum of Understanding (MoU) on the ASEAN Power Grid and the ASEAN Petroleum Security Agreement (APSA) 2005, as well as the progressive implementation of the Memorandum of Understanding (MoU) on the Trans-ASEAN Gas Pipeline (TAGP).

Sub-regional Cooperation

47. We were pleased with the substantial progress made in the implementation of the initiatives and programmes under various sub-regional arrangements. In this regard, we recalled the successful convening of the 2nd Summit of the Ayeyawady-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS) held in Thailand on 1-3 November 2005. We also recalled the successful convening of the Second Brunei-Indonesia-Malaysia-Philippine East ASEAN Growth Area (BIMP-EAGA) Summit, the First Indonesia-Malaysia-Thailand Growth Triangle (IMT-GT) Summit, the Second Cambodia-Laos-Myanmar-Viet Nam (CLMV) Summit and the Second Cambodia-Laos-Vietnam Growth Triangle (CLV-GT) Summit on 11 December 2005 in Kuala Lumpur, Malaysia. We reaffirmed the importance that ASEAN attaches to the various sub-regional cooperation frameworks in enhancing the efforts of narrowing the development gap among all Member Countries as well as accelerating the integration of ASEAN.

ASEAN SOCIO-CULTURAL COMMUNITY (ASCC)

48. We were encouraged by the progress of the ASCC Plan of Action that was adopted by the ASEAN Leaders at the 10th ASEAN Summit in Vientiane, Lao PDR. We expressed our hope and desire to see greater engagement and participation of the ASEAN people in ASEAN activities. In this regard, we expressed our commitment to pursue the programmes and activities under the ASCC, with the objective of bringing ASEAN to the people of ASEAN, and took note of the adoption of the theme of the 39th ASEAN Day, "ASEAN and the Young People". We were pleased to see the plan by the ASEAN Secretariat to convene a coordinating conference of ASEAN bodies relevant to the ASCC Plan of Action in the second half of 2006.

49. We commended the holding of the Civil Society Conference at the sidelines of the 11th ASEAN Summit on 7-9 December 2005 in Kuala Lumpur. The involvement of civil society is a vital component of developing a people-centred ASEAN Community. In this regard, we were pleased to note that the Philippines will continue the engagement with civil society groups during its chairmanship on the regional level. An opportunity for the civil society representatives to report to the Leaders will be arranged during the 12th ASEAN Summit.

50. We supported the continued efforts by the ASEAN Foundation in generating public awareness of ASEAN and fostering a sense of belonging to ASEAN among its peoples through its various activities. We noted the Report of the Executive Director of the ASEAN Foundation on the Foundation's activities. We encouraged other countries and regional and international organizations as well as the private sector from ASEAN Member Countries to cooperate closely with the ASEAN Foundation and assist it to carry out its activities aimed at realizing its goals and objectives.

Sectoral Cooperation

Consular and Immigration

51. We welcomed the signing of the ASEAN Framework Agreement on Visa Exemption in Kuala Lumpur on 25 July 2006. We agreed that this Framework Agreement would facilitate travel for

ASEAN nationals within ASEAN.

Environment

52. We recalled the concerns expressed by our Leaders at the 11th ASEAN Summit held in Kuala Lumpur on 12 December 2005, on the issue of transboundary haze pollution resulting from land and forest fires that affects some of the Member Countries annually. We reiterated our commitment to further intensify and undertake coordinated action by our relevant Ministries and agencies at the national and regional levels, to deal collectively with the transboundary haze pollution, guided by the ASEAN Agreement on Transboundary Haze Pollution. In this regard, we noted the on-going process of ratification by Member Countries which have yet to ratify the Agreement and expected this to be finalised soon in order to ensure effective regional cooperation in this area.

53. We commended the initiative to commemorate 2006 as the ASEAN Environment Year with the theme: "Biodiversity: Our Life, Our Future", which was launched in Bogor, Indonesia on 18 May 2006. We urged all Member Countries and our collaborating partners to showcase ASEAN's efforts, and promote awareness and ownership, in promoting environmental protection, in particular sustainable management of our rich and diverse biological diversity. In this respect, we welcomed the establishment of the ASEAN Centre for Biodiversity based in Los Banos, the Philippines, which was launched on 27 September 2005 to further promote collaboration on biodiversity. We expressed our appreciation to the EU for providing financial support for the first three years of operation of the Centre, and called upon Member Countries and our collaborating partners to continue to lend support to the activities of the Centre.

54. We reaffirmed the importance of the Heart of Borneo initiative, as stated in the Chairman's Statement of the 11th ASEAN Summit, as a collective effort to promote sustainable forest management.

55. We reiterated the importance of concrete implementation of UNFCCC and Kyoto Protocol and called for further concrete implementation and commitment to pursue efforts for parties, particularly those in Annex 1 of the Convention and its Kyoto Protocol to address climate change. Therefore, we urged the Annex I Parties to increase their commitment in implementing the Clean Development Mechanism (CDM) activities particularly in the ASEAN region.

Disaster Management

56. We expressed our deepest condolences to the Governments and the peoples of the Republic of the Philippines and the Republic of Indonesia over the tremendous loss of lives and property as a result of the mudslide disaster which struck Guinsaugon St. Bernard, Southern Leyte, Philippines on 17 February 2006; the earthquake which struck Yogyakarta and Central Java, Indonesia, on 27 May 2006; and the tsunami which struck Western and Central Java, Indonesia, on 17 July 2006 respectively. We expressed our appreciation for the expeditious relief efforts of ASEAN Member Countries, friendly countries, international organisations and other relief organisations and called upon them to continue to provide their support for rehabilitation and reconstruction activities to enable speedy recovery of those affected.

57. We recalled the ASEAN Agreement on Disaster Management and Emergency Response (AADMER), which was signed on 26 July 2005 in Vientiane, Lao PDR. We welcomed the ratification of the Agreement by Member Countries and further called upon Member Countries that have yet to ratify the Agreement to do so in order to ensure effective regional cooperation in this area. In this regard, we noted the offer by Indonesia to host the ASEAN Coordinating Centre for Humanitarian Assistance on disaster management (AHA Centre).

58. We emphasized the importance of developing effective multi-nodal and multi-hazard early warning systems to save lives and minimise damages. We recognized the existing efforts such as the

establishment of the UNESCAP Multi-Donor Voluntary Trust Fund for Tsunami Early Warning Arrangements in the Indian Ocean and Southeast Asia, with Thailand and Sweden contributed a total of US\$12.5 million. In this regard, we encouraged the contribution and utilisation of the fund to enhance the capacity of the early warning systems. In addition, those efforts to strengthen disaster preparedness of local communities should be promoted.

59. We reaffirmed our commitment to strengthen ASEAN standby arrangements for disaster relief and emergency response and to enhance linkages with other regional and global standby arrangements through the sharing of earmarked assets, joint exercises in search and rescue and expediting the establishment of common guidelines and standard operating procedures as well as regional disaster early warning and monitoring capacities through real time information sharing in order to ensure rapid responses to emergencies.

Health

60. We recalled our Leaders' decision at the 11th ASEAN Summit to strengthen regional institutional linkages and partnership among all stakeholders in ASEAN Member Countries to control and eradicate the spread of Highly Pathogenic Avian Influenza (HPAI) in the region. In this regard, we expressed our deep concern over the negative effects of the avian influenza on economy and society and called for greater cooperation among Member Countries and others, through information exchange and best practices, to prevent and control the spread of the disease. We noted the progress in stockpiling vaccines and antiviral drugs to meet the immediate needs of affected countries and underlined the importance to prepare for containment when human cases occur; and meet pandemic preparedness needs.

61. We commended the work of the ASEAN HPAI Taskforce and the ASEAN+3 Emerging Infectious Diseases (EID) Programme to conduct and coordinate effective and comprehensive plans to combat emerging and re-emerging diseases. We also welcomed endeavours from donor countries and international organizations to help keep ASEAN free from emerging diseases. In particular, we appreciated the funding support of Japan and the Asian Development Bank (ADB) to assist ASEAN in combating the avian influenza in the region.

62. We commended the efforts made by the ASEAN Health Ministers to ensure regional cooperation and unity in health emergencies, and in providing the necessary guidance for development of an operation plan for the Third ASEAN Work Programme on HIV and AIDS (2006-2010). We welcomed their preparations to convene a Second Special Session on HIV and AIDS for ASEAN Leaders in December 2006 alongside the 12th ASEAN Summit. We also underlined the need for a higher profile of ASEAN cooperation on the issue to be highlighted to the international community, such as through the convening of ASEAN panels at the International Conferences on AIDS in Asia and the Pacific (ICAAP) since 2001. We noted that ASEAN's commitment to address the issue together with like-minded partners has also resulted in a cooperation agreement with the Joint United Nations Programme on HIV/AIDS (UNAIDS).

Education

63. We welcomed the convening of the First ASEAN Education Ministers Meeting (ASEM) held in Singapore on 21 March 2006 and its Joint Statement. As education is an important tool in engendering the ASEAN identity and promoting the development of the ASEAN Socio-Cultural Community, we welcomed the initiative by ASEM to lay a strategic framework for education collaboration in the region which among others, highlighted the importance of education, particularly in primary and basic education, in developing a regional identity. This is relevant to the emphasis placed by ASEAN Leaders to establish an ASEAN Community imbued with a sense of awareness and belonging.

Culture and Information

64. We reaffirmed our support to the ASEAN Committee on Culture and Information (COCI) to continue undertaking activities that promote mutual understanding and solidarity among Member Countries through people-to-people exchanges, cultural performances and exhibitions, information exchange, skills development, and the promotion of awareness and appreciation of customs and traditions among the younger generation. We recognised that these activities have played a vital role in the efforts towards building an ASEAN Community. In this respect, we were pleased that the people-centred agenda advocated by the 39th ASC Chair has contributed to the awareness of ASEAN, mutual respect and cooperation amongst ASEAN and its peoples. We commended the efforts of the COCI in forging friendship with the international community as part of its effort to promote ASEAN through arts and culture.

Labour

65. We were pleased with the expansion of ASEAN Labour cooperation through the ASEAN Labour Ministers' Work Programme. We welcomed the addition of a new priority area on occupational safety and health (OSH) under the Labour Ministers' Work Programme at the 19th ASEAN Labour Ministers Meeting on 5 May 2006 in Singapore and the continued progress of the ASEAN Occupational Safety and Health Network (ASEAN-OSHNET). We look forward to the continued contribution of the Labour Ministers to a sustained economic growth in ASEAN through their Policy Dialogue on National OSH Framework and Management Systems, and the discussions on progressive labour practices to enhance competitiveness of ASEAN.

Women

66. We welcomed the operationalisation of the Declaration on the Elimination of Violence Against Women in ASEAN, which we had signed at our 37th Meeting in 2004. We congratulated the ASEAN Committee on Women (ACW) for their efforts in developing an operational work plan with focused activities to ensure that ASEAN's women are protected and empowered and in reducing women's vulnerability to exploitation and paving the way for their continued advancement. We also welcomed the partnership forged with the United Nations Development Fund for Women (UNIFEM) in support of the ACW's work.

Youth

67. We reiterated the need to involve ASEAN youth in our various mainstream and sectoral programmes and activities as part of the regional effort to empower and shape our youth into useful citizens with strong national and regional identity, features that are essential as we strive towards realising the ASEAN Community. We welcomed the initiative taken to establish a youth development fund in ASEAN, to address the VAP's call for increased participation of youth in the productive workforce, and encourage their entrepreneurship and employability, leadership and regional awareness. We further called upon the different ASEAN sectoral bodies to link their respective efforts in addressing priorities for the youth.

Science and Technology

68. We reaffirmed that human resource and technology developments have played a vital role in sustaining economic growth and enhancing community well-being in ASEAN. We welcomed the initiative of the 11th ASEAN Ministerial Meeting on Science and Technology (S&T) held on 11-12 August 2005 in Jakarta to focus the regional science and technology cooperation on human resource and development and research in emerging fields and enabling technologies such as renewable and alternative energy, development of information technology application particularly on open source systems, biotechnology and food science, materials science and nanotechnology and disaster management. In this regard, we look forward to the convening of the 4th Informal ASEAN Ministerial

Meeting on Science and Technology on 28-29 August 2006 in Kuala Lumpur.

69. We welcomed the continued efforts by ASEAN Member Countries to implement new activities under the ASEAN-help-ASEAN Programme to promote S&T development in ASEAN. We were pleased to note that since its launching by the ASEAN S&T Ministers in 2002, joint activities implemented under the Programme have benefited ASEAN Member Countries and also contributed in narrowing the development gap.

EXTERNAL RELATIONS

70. We expressed satisfaction with the progress achieved in ASEAN's relations with the Dialogue Partners, namely, Australia, Canada, China, the European Union, India, Japan, New Zealand, the Republic of Korea, the Russian Federation, the United States of America, the United Nations Development Programme and the increasing interest of Sectoral Dialogue Partner Pakistan to engage more with ASEAN. We also expressed our commitment to intensify cooperation in various fields with ASEAN Dialogue Partners for the mutual benefit of our peoples and region. We further expressed our appreciation to our Dialogue Partners for their continued support in ASEAN's efforts towards establishing the ASEAN Community by 2020.

71. In this regard, we look forward to the signing of the Framework Document for the Plan of Action to Implement the ASEAN-US Enhanced Partnership on 27 July 2006. We also look forward to the signing of the ASEAN-Canada Joint Declaration for Cooperation to Combat International Terrorism on 28 July 2006 in Kuala Lumpur and the implementation of the activities identified therein.

72. On ASEAN-Russia relations, we are pleased to note the successful convening of the First ASEAN-Russian Federation Summit held in Kuala Lumpur on 13 December 2005, and the endorsement of the ASEAN-Russia Joint Declaration on Progressive and Comprehensive Partnership.

73. We believed that these developments will contribute to further enhance ASEAN-Russia relations. We also noted that 2006 is the 10th anniversary of ASEAN-Russia relations, which we are marking with a few commemorative activities, among which are the Russian Food Festival and the publication of the ASEAN-Russia Commemorative Magazine. These two activities will be launched at the sidelines of the 39th ASEAN Ministerial Meeting/Post Ministerial Conferences, in conjunction with the ASEAN PMC+1 session with the Russian Federation on 27 July 2006 in Kuala Lumpur. We further noted that the ASEAN Food Festival will be organised in the Russian Federation later this year.

74. We underscored the need to maintain ASEAN centrality and unity in all dialogue and cooperation processes initiated by ASEAN. In this regard, we reaffirmed the importance of ASEAN acting and be recognised as the driving force in all facets of our relations with our Dialogue Partners and other external parties as well as ASEAN playing a central role in the evolving regional architectures.

75. We welcomed the interest expressed by several non-regional countries and international institutions to extend technical assistance and financial support for the implementation of ASEAN's development agenda. As an outward-looking organization, ASEAN recognised the need to establish other forms of formal relations with other non-regional countries and international institutions to assist its development agenda. In this context, we tasked the ASEAN Directors-General and the ASEAN Secretariat to develop new categories of partnership with non-regional countries and international institutions while maintaining the moratorium on new Dialogue Partnership. We also welcomed the offer of the Philippines to work with the ASEAN Secretariat in identifying ways to strengthen cooperation with the Shanghai Cooperation Organisation (SCO).

76. We renewed our commitment to the ASEAN Plus Three (ASEAN+3) cooperation and reiterated our long-term goal of developing an East Asian community. We agreed that the ASEAN Plus Three process would remain as the main vehicle with ASEAN as the driving force for East Asian community building. Pursuant to the signing of the Kuala Lumpur Declaration on the ASEAN Plus Three Summit in Kuala Lumpur on 12 December 2005, we noted that the ASEAN Plus Three Senior Officials and the Directors-General, in their meetings on 18 May 2006 in Karambunai, Sabah and 8 June 2006 in Seoul,

ROK, respectively, had had initial discussions in preparation of the drafting of the Second Joint Statement on East Asia Cooperation, and the accompanying Work Plan, to be issued by our Leaders in 2007 to commemorate the 10th anniversary of the ASEAN Plus Three cooperation.

77. We recalled the successful convening of the First East Asia Summit (EAS) in Kuala Lumpur on 14 December 2005 attended by all Leaders of ASEAN Member Countries, Australia, China, India, Japan, Republic of Korea and New Zealand. While emphasising ASEAN as the driving force, we reaffirmed that the EAS, as an open, inclusive, transparent and outward-looking forum, would serve as a platform for dialogue on broad strategic, political and economic issues of common interest to promote peace and economic prosperity in East Asia. We reaffirmed the efforts of the East Asia Summit to promote community building in this region and its integral part of the evolving regional architecture. We viewed this 'Leaders-led' Summit as an important event of historical significance to ASEAN and agreed to cooperate using existing mechanisms to implement the decisions of the Summit and the 17 areas of cooperation mentioned by the Leaders.

78. We recalled the successful holding of the Second ASEAN-UN Summit on 13 September 2005 in New York wherein it was agreed that ASEAN-UN cooperation needs to be further broadened with the involvement of the various UN specialised agencies to encompass all areas related to community building, including key issues related to development, in particular, poverty eradication and the Millennium Development Goals, prevention and control of infectious diseases, disaster management, transnational issues, trade and investment as well as peace and security. We noted that the Summit also agreed to convene future ASEAN-UN Summits on a regular basis. In this context, the Philippines proposed to explore the possibility of having an ASEAN-UN Summit in 2007.

DEVELOPMENTS IN MYANMAR

79. We took note of the briefing by Myanmar on the recent developments in the country and the complex challenges faced by Myanmar in dealing with the process of national reconciliation and peaceful transition to democracy as contained in the Roadmap. We expressed concern on the pace of the national reconciliation process and hope to see tangible progress that would lead to peaceful transition to democracy in the near future. We reiterated our calls for the early release of those placed under detention and for effective dialogue with all parties concerned. We expressed our support for the constructive role taken by the Chairman of the 39th ASEAN Standing Committee and further discussed the outcome of his visit to Myanmar on 23-24 March 2006. We also noted the initiative taken by the United Nations Undersecretary General for Political Affairs, who visited Myanmar on 18-20 May 2006 and Myanmar's readiness to receive another visit by him.

80. We recognized that Myanmar needs both time and political space to deal with its many and complex challenges. We hope that Myanmar's efforts to deal with those challenges will progress so that Myanmar can effectively engage the international community, and in this regard ASEAN would remain constructively engaged as required.

REGIONAL AND INTERNATIONAL ISSUES

81. We exchanged views on the following issues:

• Timor Leste

82. We took note of the recent positive developments in Timor Leste and welcomed the immediate assistance from Malaysia, Australia, New Zealand and Portugal to deploy defence and security forces in Timor Leste. We welcomed the appointment of the new Prime Minister and Cabinet. We congratulated H. E. José Luis Guterres, Minister of Foreign Affairs and Cooperation of Timor Leste, on his recent appointment.

83. We agreed to Timor Leste's participation, where appropriate, in functional areas of ASEAN

activities. We also welcomed Timor Leste's decision to accede to the TAC.

• **Iraq**

84. We were encouraged by the determination of the Iraqis in taking important steps in the political process towards reconciliation and shaping the democratic and independent future of Iraq. We welcomed the election that took place in Iraq on 15 December 2005 to elect 275 members of the Iraqi Parliament and subsequent establishment of the Iraqi Government of national unity on 20 May 2006 that could bring about political and economic reconstruction. However, we expressed deep concern over the deteriorating security condition in Iraq, including the continued attacks on civilians and places of worship. We urged the Iraqi authorities and others to improve the security situation in Iraq and to engage with all parties in resolving the political differences through peaceful democratic means. We also earnestly hoped that the new Iraqi Government would act with utmost urgency towards the restoration of national unity and political stability that would contribute to durable peace, security and prosperity in the country.

• **Middle East**

85. We were gravely concerned over the deteriorating situation and the escalation of violence in the Middle East, particularly the disproportionate, indiscriminate and excessive use of force by Israel in the Occupied Palestinian Territory and in Lebanon, triggered by the capture of the two Israeli soldiers. It would threaten efforts towards reviving the Peace Process.

86. We condemned all acts of terror, violence and destruction. We also condemned attacks that have resulted in injury and death of innocent civilians and the destruction of civilian property and infrastructure. We further condemned the abduction and detention of Cabinet Ministers, government officials, and other individuals and we called for their immediate and unconditional release.

87. We urged all parties to exercise utmost restraint, in particular to avoid additional casualties among innocent civilians and damage to civilian property and infrastructure and to refrain from acts that could further exacerbate the situation and worsen the humanitarian crisis.

88. We called for an immediate ceasefire and urged the international community and the United Nations Security Council (UNSC) to get all parties in the conflicts to adhere to the ceasefire under UN supervision with the participation of countries that are able to do so, and ultimately to work towards a just, durable and comprehensive peace in the region.

89. We reaffirmed the call for the strict respect of the sovereignty, territorial integrity, unity and political independence of Lebanon under the sole and exclusive authority of the Government of Lebanon as stipulated in UNSC Resolutions 1664 and 1680.

90. We also urged Israel and Palestine to return to the peace process and implementation of the Quartet Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict as outlined in UNSC Resolution 1515.

91. We welcomed all efforts taken to address the situation, including the visits to the region by the Special Advisor of the UN Secretary-General to the Middle East and the UN Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, as well as the efforts undertaken by the Foreign Minister of France in that country's capacity as current President of the United Nations Security Council. We viewed the visit by the U.S. Secretary of State to the region and Italy's intention to host an international conference on 26 July 2006 as encouraging steps and hope that these would bring about the immediate cessation of hostilities, opening the way for the unimpeded flow of humanitarian relief and assistance to the civilians affected by the conflict, the early return of displaced persons and providing the conditions for a durable and lasting solution to the problems in the region. We also emphasised the need for speedy restoration of essential infrastructure facilities in Palestine and Lebanon to avoid further deterioration of humanitarian condition of the Palestine and Lebanese

people.

• **Korean Peninsula**

92. We expressed our concern over the latest developments in the Korean Peninsula including the test-firing by DPRK of its Taepodong-2 missiles on 5 July 2006 which could affect peace and stability in the region. We noted the unanimous adoption of the UNSC resolution 1695. We also expressed our desire for the realisation of a nuclear-free Korean Peninsula and our continued support for the early resumption of the Six Party Talks. We also expressed our hope that the on-going inter-Korean exchanges would continue to provide conditions which would be conducive to peace and stability in the Korean Peninsula. We also believed that the ARF can contribute to promoting peace and stability in the Korean Peninsula and expressed the hope that members of the Six Party Talks can utilise their presence during the ARF to promote the resumption of the Talks.

• **World Trade Organisation (WTO)**

93. We reemphasised the importance of a rule-based multilateral trading system. We expressed regret on the failure to agree to the negotiating modalities on agriculture and non-agriculture market access (NAMA) at the Informal Ministerial Meeting held on 29 June - 1 July 2006 in Geneva. We called on all WTO Members, especially the major ones, to redouble their efforts in line with their commitment to the objectives of the Doha Development Agenda (DDA) and to ensure that the negotiations would come to a successful conclusion by the end of 2006. We reiterated that the Doha Round must achieve an ambitious and balanced outcome that is development-oriented with particular emphasis on ensuring real, effective and operational development benefits to developing countries.

94. We reiterated our support to the early accession of the Lao PDR and Viet Nam to the WTO. In this connection, we congratulated Viet Nam on her conclusion of all her bilateral negotiations and supported the earliest completion of the multilateral negotiation process to enable Viet Nam to join the WTO before November 2006.

• **Asia-Middle East Dialogue (AMED)**

95. We recognised that now is the opportune time to strengthen ties and forge cooperation between Asia and the Middle East that would allow the two regions to take advantage of their resurgence in the global economy. The AMED was conceived to achieve this objective by fostering dialogue and mutual understanding through three Working Groups on Political and Security issues, on Social, Educational, Cultural, Scientific and Media issues, and on Economic issues.

• **Asia-Cooperation Dialogue (ACD)**

96. We also welcomed the outcome of the 5th ACD Ministerial Meeting on 23-24 May 2006 in Doha, Qatar. We commended the progress that has been made with respect to the promotion of closer cooperation in the area of energy, which is to put priority on such areas as energy security, research and assessment on energy, energy infrastructure and development and exploring the possibility of reinvesting revenues that accrue from the energy in the ACD countries to enhance sustainable growth and development in Asia. We look forward to the 2nd ACD Energy Forum to be hosted by Pakistan in November 2006 to further discuss this and other important energy issues. We also commended the progress that has been made in the area of financial cooperation, especially with regard to making productive use of Asia's substantial savings, including revenues that accrue from the energy trade, and invest these through the Asian Bond Market mechanism for the benefit of the region.

• **Asia-Africa Cooperation**

97. We noted the progress on the follow up of the outcome of the Asia-Africa Summit toward the realisation of the New Asia-Africa Strategic Partnership (NAASP) and look forward for the development of concrete programme and project cooperation by the Senior Officials' Meeting to be held in Durban

on 1-3 September 2006.

• **Asia-Pacific Economic Cooperation (APEC)**

98. We welcomed the progress achieved by APEC member economies towards facilitating and liberalizing trade and investment as well as towards economic and technical cooperation in the Asia-Pacific region. We believed ASEAN and APEC share a common vision of promoting regional sustainable growth and shared prosperity. We also believed that greater collaboration between ASEAN and APEC through the exchange and sharing of information, expertise and best practices and capacity building programmes would contribute towards this vision and that the ASEAN-APEC partnership would also benefit the business sector and other sectors through the various trade facilitation initiatives to address business concerns and impediments to cross border trade, investment and cooperation. In this regard, we expressed our full support for Viet Nam to successfully hold the 14th APEC Economic Leaders' Meeting in November 2006 with a view to contributing to the building of a dynamic community for sustainable development and prosperity. We also supported Cambodia's intention to seek membership in APEC.

• **Asia-Europe Meeting (ASEM)**

99. We stressed the need for ASEM to provide a foundation and framework for fostering the Asia-Europe comprehensive partnership in the 21st century. We look forward to a successful convening of the 6th ASEM Summit on 10-11 September 2006 in Helsinki, Finland and the commemoration of the 10th anniversary of ASEM as an important benchmark of a ten-year process linking Asia and Europe. We hoped that the 6th ASEM Summit would further strengthen a mutually beneficial and forward looking Asia-Europe partnership. We hoped further it would reflect in its vision on the future directions of ASEM cooperation in areas of mutual concern and interest such as strengthening multilateralism; addressing security threats; sustainable development; dialogue among cultures and civilisations; and globalization and competitiveness.

100. We welcomed the initiative to establish the ASEM Virtual Secretariat (AVS) at the ASEAN Secretariat as an information-sharing device to facilitate coordination and cooperation among its partners. In this context, we look forward to contributions to the ASEAN Secretariat by all ASEM partners to ensure the effective operation of the AVS.

• **United Nations (UN)**

101. We reaffirmed our support for multilateralism and international law as embodied in the UN Charter. In reviewing the status of the implementation of the 2005 World Summit Outcome Document, adopted at the conclusion of the High-level Plenary Meeting of the General Assembly held from 14 to 16 September 2005, we supported a comprehensive reform of the United Nations and underlined the need to enhance the voice and the role of the developing countries within the UN system. We believed that to ensure that the UN remains relevant and effective, it is imperative that it be democratized efficient, transparent, accountable, and truly reflective of the will and interest of all Member States. We also welcomed the establishment of the UN Human Rights Council and the UN Peacebuilding Commission.

102. We reaffirmed ASEAN's support for Indonesia, Viet Nam, Thailand, Cambodia and Malaysia's candidature to become non-permanent members of the UN Security Council for the year 2007-2008, 2008-2009, 2011-2012, 2013-2014, 2015-2016 respectively. In this context, we also reaffirmed our collective endeavour to support Indonesia's bid for the non-permanent seat for the UNSC for 2007-2008, in the election to be held at the 61st Session of the UN General Assembly and requested Indonesia to coordinate this endeavour with the Permanent Representatives of ASEAN Member Countries in New York.

ASEAN Candidature for the UNSG

103. We reaffirmed our endorsement of Dr. Surakiart Sathirathai, Deputy Prime Minister of Thailand as the ASEAN Candidate for the post of Secretary-General of the United Nations (UNSG). We agreed to continue to pursue a coordinated strategy in support of the campaign for the ASEAN Candidate. We called on all Member States of the United Nations to support the ASEAN Candidate.

Cooperation with Regional Organisations

104. We recalled the outcomes of the ASEAN-South Asia Association for Regional Cooperation (SAARC), ASEAN-Gulf Cooperation Council (GCC) and ASEAN-Economic Cooperation Organization (ECO) Foreign Ministers Meetings in September 2005 in New York where several areas were identified for cooperation between ASEAN and these organisations. We recognized the potential of these cooperation arrangements to generate mutual benefits.

40th AMM

105. We elected the Philippines as the In-coming Chair of the 40th ASEAN Standing Committee and Singapore as the Vice-Chair. We look forward to the 40th ASEAN Ministerial Meeting / Post Ministerial Conferences / 14th ASEAN Regional Forum to be held on 30 July to 2 August 2007 in the Philippines.