AGREEMENT ON ASEAN ENERGY COOPERATION

THE GOVERNMENTS OF BRUNEI DARUSSALAM, THE REPUBLIC OF INDONESIA, MALAYSIA, THE REPUBLIC OF THE PHILIPPINES, THE REPUBLIC OF SINGAPORE AND THE KINGDOM OF THAILAND, being members of the Association of South East Asian Nations, which Association shall hereinafter be referred to as ASEAN :

RECALLING the Declaration of ASEAN Concord signed at Bali, Indonesia, on 24 February 1976, which provides that the ASEAN Member Countries shall take cooperative action in their national and regional development programmes ;

NOTING that the Declaration of ASEAN Concord calls upon the ASEAN Member Countries to 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 Countries, in respect of basic commodities, particularly food and energy;

NOTING the presence of similar energy resources in most ASEAN countries for both renewable forms such as hydropower, biomass and wood-based energy, solar, wind and geothermal, as well as non-renewable resources of energy such as oil, natural gas, coal and nuclear minerals;

CONSIDERING that cooperation among Member Countries to ensure and develop these sources of energy is a basic component in strengthening the economic resilience of the individual Member Country as well as the economic resilience and solidarity of ASEAN ;

HAVE AGREED on the following provisions :

ARTICLE I

GENERAL PROVISIONS

1. The ASEAN Member Countries hereby agree to cooperate in the efficient development and use of all forms of energy, whether commercial, non-commertial, renewable or non-renewable, in modalities that may be appropriately designed by them for the above purpose.

2. The range of cooperation will span planning, development, manpower training, information exchange, efficiency and conservation, supply and disposal, where appropriate, in any of the following energy sub-activities :

(i) resource investigation, exploration, assessment, planning and development;

(ii) technological research, development and demonstration;

(iii) transfer of technology;

(iv) energy conservation techniques;

(v) upgrading of environmental impact assessments resulting from different activities in energy production, processing, handling, transport, and utilization;

(vi) standardization of energy related facilities;

(vii) manpower development and safety programmes in various energy fields, including production, processing, handling, transport, and utilization;

(viii) energy security arrangements for emergency situations;

(ix) exchange of technical information on personnel, technology transfer, operational experience, research publications, as well as programme policy

and implementation experiences; and

(x) maintenance of a conducive environment for trading and investment opportunities in relation to energy fuels, materials and equipment.

ARTICLE II

COOPERATION IN PLANNING

Recognizing that energy planning is an instrument to strengthen each country's capability to optimize energy resources development, allocation and utilization, the Member Countries shall endeavour to cooperate in :

(i) the sharing of methodologies, techniques, skills and experiences in national energy planning;

(ii) conducting regional studies of energy as and when the Member Countries desire; and

(iii) developing strategies to promote energy-related trade within the ASEAN region.

ARTICLE III

COOPERATION IN ENERGY DEVELOPMENT

Considering that energy development is a continuing process which could result in the economic resilience of ASEAN as a whole, the Member Countries shall endeavour to cooperate in:

(i) studies on various energy development management measures; and

(ii) expediting and facilitating energy development schemes of common interests.

ARTICLE IV

COOPERATION IN CONSERVATION

Recognizing that improving energy efficiency is of concern to all, the Member Countries shall endeavour to cooperate in :

(i) pursuing energy conservation measures of common interest;

(ii) undertaking various energy management and conservation researches; and

(iii) sharing information on energy conservation programmes and activities.

ARTICLE V

COOPERATION IN TRAINING

1. The ASEAN Member Countries, in the light of their complementary interests and of their long-term objectives to improve manpower capabilities, shall endeavour to cooperate in manpower training activities in all fields of energy.

2. The modalities of such cooperation shall include but not be limited to the following :

(i) training and exchange of expertise in research, development and implementation of energy programmes and conservation measures;

(ii) strengthening of relevant existing institutions with programmes in human resources development for the energy sector;

(iii) sharing of methodologies, techniques and skills which facilitate the planning, implementation and management of multilateral cooperative programmes; and

(iv) familiarization with Environmental Impact Assessment techniques as an essential input to energy policy formulation.

ARTICLE VI

COOPERATION IN SECURITY OF ENERGY SUPPLY

Recognizing the need to alleviate emergency situations relating to the shortage and/or oversupply of renewable and/or non-renewable energy products, the Member Countries shall endeavour to cooperate in drawing up and concluding:

(i) emergency agreements for different energy forms as may be desirable from time to time; and

(ii) appropriate measures to cope with these emergency situations.

ARTICLE VII

COOPERATION IN EXCHANGE OF INFORMATION

1. Recognizing that energy data and information are the basic means for monitoring the effect of energy policies for formulating plans and programmes;

2. The Member Countries shall endeavour to cooperate in information exchange with the following objectives :

(i) to benefit from transfer of technology and operational experiences encountered during programme implementation or studies;

(ii) to enable common regional researches; and

(iii) to establish adequate information systems or networks for the storage and retrieval of regional energy data.

ARTICLE VIII

CONSULTATIVE COMMITTEE

1. The Senior Officials of the ASEAN Economic Ministers on Energy Cooperation shall act as a Consultative Committee to promote and keep under review the various cooperation activities envisaged in the framework agreed by the Member Countries. Consultations shall be held in the Committee in order to facilitate the implementation and to further the general aims of this Agreement. The Committee will meet at least once a year. Special meetings of the Committee shall be held at the request of a Member Country/ Member Countries.

2. The Committee shall adopt its own rules of procedure and programme of work.

ARTICLE IX

FINAL PROVISIONS

1. This Agreement is subject to ratification by the ASEAN Member Countries.

2. The Instruments of Ratification shall be deposited with the Secretary General of the ASEAN Secretariat who shall promptly inform each ASEAN Member Country of such deposit.

3. This Agreement shall enter into force on the thirtieth day after the deposit of the sixth Instrument of Ratification.

4. No reservations may be made to this Agreement either at the time of signature or ratification.

5. Any amendment to the provisions of this Agreement shall be effected by consent of all the ASEAN Member Countries.

6. This Agreement shall be deposited with the Secretary General of the ASEAN Secretariat who shall promptly furnish a certified copy thereof to each ASEAN Member Country.

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement.

DONE in Manila, Philippines, this 24th day of June 1986, in seven copies in the English language.

For the Government of
Negara Brunei Darussalam:

H.R.H. PRINCE MOHAMED BOLKIAH
Minister for Foreign Affairs

For the Government of the
Republic of Indonesia:

PROF. DR. MOCHTAR KUSUMAATMADJA
Minister for Foreign Affairs

For the Government of Malaysia:

TENGKU AHMAD RITHAUDDEEN
Minister for Foreign Affairs

For the Government of the
Republic of the Philippines:

SALVADOR H. LAUREL
Vice-President
and
Minister for Foreign Affairs

For the Government of the
Republic of Singapore:

S. DHANABALAN
Minister for Foreign Affairs

For the Government of the
Kingdom of Thailand:

DR. ARUN PANUPONG
Deputy Minister for Foreign Affairs

BỘ NGOẠI GIAO
NƯỚC CỘNG HOÀ XÃ HỘI
CHỦ NGHĨA VIỆT NAM

THƯ PHÊ CHUẨN HIỆP ĐỊNH HỢP TÁC NĂNG LƯỢNG ASEAN

XÉT RẰNG các nước thành viên ASEAN đã ký Hiệp định về Hợp tác Năng lượng tại Manila ngày 24 tháng 6 năm 1986 và ngày 10 tháng 6 năm 1996 nước Cộng hoà Xã hội Chủ nghĩa Việt Nam đã ký Thư Thông báo Tham gia Hiệp định nói trên có hiệu lực trở lại từ ngày 23 tháng 10 năm 1996;

XÉT RẰNG điều IX của Hiệp định này quy định rằng Hiệp định sẽ phải được phê chuẩn bởi các nước Thành viên ASEAN và gửi Thư Phê chuẩn đến Tổng Thư ký ASEAN để lưu chiểu;

DO VẬY, Chính phủ Cộng hoà Xã hội Chủ nghĩa Việt Nam, sau khi xem xét Bản Hiệp định, bằng văn bản này xác nhận và phê chuẩn Hiệp định đó, đồng thời cam kết thực hiện và thi hành đầy đủ mọi quy định trong đó.

ĐỂ XÁC NHẬN những điều nói trên, người ký tên dưới đây, được Chính phủ nước Cộng hoà Xã hội Chủ nghĩa Việt Nam uỷ quyền hợp pháp, đã ký Thư Phê chuẩn này.

Làm tại Hà nội, ngày 20 tháng 6 năm 1996.

THAY MẶT CHÍNH PHỦ NƯỚC CỘNG HOÀ XÃ HỘI CHỦ NGHĨA VIỆT NAM

NGUYỄN MẠNH CẦM
BỘ TRƯỞNG BỘ NGOẠI GIAO

MINISTRY OF FOREIGN AFFAIRS
THE SOCIALIST REPUBLIC OF
VIETNAM

INSTRUMENT OF RATIFICATION TO THE AGREEMENT ON THE ASEAN ENERGY COOPERATION

WHEREAS the ASEAN Member Countries signed the Agreement on ASEAN Energy Cooperation in Manila on the 24th day of June 1986 and the Socialist Republic of Vietnam signed the Notification of Adherence to the said Agreement with effect retroactive to 23rd day of October 1995 on the 10th day of June 1996;

AND WHEREAS Article IX of the said Agreement provides that it is subject to ratification by the ASEAN Member Countries and the Instrument of Ratification shall be deposited with the Secretary General of ASEAN;

NOW THEREFORE, the Government of the Socialist Republic of Vietnam, having considered the Agreement, hereby confirms and ratifies the same and undertakes to perform and carry out faithfully all stipulations therein contained;

IN WITNESS WHEREOF, the undersigned, being duly authorised by the Government of the Socialist Republic of Vietnam, has signed this Instrument of Ratification.

Done at Hanoi, this 20th day of June, One Thousand nine hundred ninety six.

FOR THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM

NGUYEN MANH CAM
MINISTER OF FOREIGN AFFAIRS