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JOINT DECLARATION OF THE LEADERS AT THE ASEAN-AUSTRALIA AND NEW ZEALAND COMMEMORATIVE SUMMIT

WE, the Heads of State/Government of Member Countries of the Association of Southeast Asian Nations (ASEAN), and Australia and New Zealand gathered on 30 November 2004 in Vientiane, Lao PDR for the ASEAN-Australia and New Zealand Commemorative Summit;

NOTING that the Summit was taking place during the 30th anniversary year of the dialogue partnership between ASEAN and Australia – ASEAN's first such relationship – and that 2005 would mark the 30th anniversary year of the dialogue partnership between ASEAN and New Zealand;

RECOGNISING that the establishment of the ASEAN-Australia and ASEAN-New Zealand dialogue relations in 1974 and 1975 respectively had paved the way for strengthening of relations, which have contributed to building mutual trust and respect, good neighbourliness and interdependence and provided mutual benefits to our peoples;

RECALLING the Joint Statements of the ASEAN Heads of State/Government and Prime Minister of Australia, and the ASEAN Heads of State/Government and Prime Minister of New Zealand on 7 August 1977 and 8 August 1977 in Kuala Lumpur respectively, which demonstrated the mutual desire of ASEAN, Australia and New Zealand to enhance dialogue relations and cooperation;

ACKNOWLEDGING with satisfaction that our countries have fostered a close, cooperative and multifaceted partnership, including in the areas of security and defence; trade, investment and finance; law and order; development cooperation; education; research, science and technology; tourism; media; culture and the arts; and people to people links; and noting that these linkages are longstanding and have been increasing steadily over time;

CONVINCED that this record of constructive engagement has laid a strong foundation for a new level of interaction beyond this Summit that will take our partnership to greater heights and closer friendship;

BEARING IN MIND the interdependency of the security and prosperity of ASEAN, Australia and New Zealand and that the opportunities and challenges posed by globalisation and the dynamic developments in the region and the world require coordinated and coherent responses at the regional level;

AGREEING on the seriousness of the threat posed by terrorism to the security and prosperity of the region, and of the world in general, and

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reaffirming our shared determination to prevent, suppress and eliminate terrorism in all its manifestations;

RECOGNISING that the transnational nature of terrorism calls for a comprehensive approach that embraces action on many fronts, including by addressing the economic, social and political factors that create conditions in which extremism can take root and flourish, and noting the contribution that international cooperation on counter-terrorism and relevant development projects can make in this regard;

RECOGNISING the need for close cooperation and coordinated actions to combat transnational crime in order to promote security, peace and stability within our region;

WELCOMING the ASEAN-Australia Joint Declaration for Cooperation to Combat International Terrorism signed on 1 July 2004 in Jakarta, and New Zealand's willingness to consider signing a similar Joint Declaration with ASEAN, which will further strengthen security cooperation, in particular on counter-terrorism;

ACKNOWLEDGING that the proliferation of weapons of mass destruction and their means of delivery poses one of the most serious challenges to international peace and security in our time, and agreeing on the importance of international regional and national efforts to address such proliferation;

REAFFIRMING the significance of the ASEAN Regional Forum (ARF) as the primary forum for security cooperation in the Asia-Pacific;

REAFFIRMING our adherence to the principles enshrined in the Charter of the United Nations and other basic principles in international law and in particular, our faith in, and respect for, each other's independence, national sovereignty, territorial integrity, and the principles of non-interference in the internal affairs of other states, renunciation of threat or use of force, peaceful settlement of disputes, equality, and mutual respect and mutual benefit;

EXPRESSING full support for the realisation of the ASEAN Vision 2020 adopted in November 2000 in Kuala Lumpur, and the implementation of the Declaration of ASEAN Concord II (Bali Concord II) signed on 7 October 2003 in Bali leading to the formation of the ASEAN Community comprising the ASEAN Security Community, ASEAN Economic Community, and ASEAN Socio-Cultural Community, as well as the Initiative for ASEAN Integration (IAI) launched in November 2000 in Singapore and the Vientiane Action Programme (VAP) signed on 29 November 2004 in Vientiane aimed at further integrating ASEAN and narrowing the developments gaps;

RECALLING the Joint Ministerial Declaration on the AFTA-CER Closer Economic Partnership signed during the 7th AEM-CER Consultations in 2002 in Bandar Seri Begawan; to promote trade, investment and regional economic integration between ASEAN and the CER countries, with a target of doubling trade and investment by 2010;

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RECOGNISING the contributions made by Australia and New Zealand through their development assistance programmes to ASEAN and its Member Countries to improve the living standards of the peoples of our region, to promote sustainable development, and to support the realisation of the goals and objectives of the ASEAN Vision 2020, and the Bali Concord II, and to implement the Ha Noi Plan of Action, and the IAI;

DETERMINED to nurture our human, cultural and rich natural resources including traditional knowledge and plant variety protection;

CONVINCED that further broadening and deepening of the three decades of dialogue partnerships will continue to serve the interests of our peoples and is essential for promoting peace, stability, sustained development and prosperity in our region;

HEREBY DECLARE OUR COMMITMENT TO:

1. **Enhancing Political and Security Cooperation**

- Foster strong bonds, good neighbourliness, peaceful co-existence, and prosperity in our region, recognising and respecting the rule of law and justice, as well as the diversity, particularly the differences in development paths, security concerns, values, culture and traditions among countries, and work together to create an environment of tolerance and openness for cooperation and development in the region.

- Cooperate in multilateral fora, in particular the United Nations and the World Trade Organisation, to contribute to the peace, stability, development and prosperity of the region and the world, and to ensure that the benefits of globalisation are equitably shared by all countries, both developed and developing countries as well as the least developed countries.

- Enhance political and security cooperation and partnership through bilateral frameworks, the ASEAN Regional Forum, Asia Pacific Economic Cooperation (APEC) and other regional and international fora.

- Cooperate in areas of disarmament, arm control and non-proliferation of weapons of mass destruction (WMD), their means of delivery and related materials.

- Strengthen international non-proliferation cooperation and efforts including through the United Nations and regional fora.

- Improve awareness, implementation and enforcement multilaterally binding international arm control and non-proliferation instruments and support measures, such as export controls.

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- Recognise the importance of the Treaty of Amity and Cooperation in Southeast Asia in building peace and stability in the region and strengthening ASEAN's relationship with its Dialogue Partners. In this connection, ASEAN Leaders encourage Australia and New Zealand to positively consider acceding to the Treaty in the near future in the spirit of the strong trust and friendship between ASEAN and Australia and New Zealand and their common desire to contribute to regional peace and stability.

- Intensify cooperation and capacity building efforts at the bilateral, regional and multilateral levels to prevent, suppress and eliminate international terrorism in all forms and manifestations, and to address the economic, social and political factors that create the conditions which give rise to and nourish extremism.

- Take urgent steps to prevent and combat the menace of transnational crimes such as trafficking in drugs, arms smuggling, human trafficking, particularly in women and children, child sex tourism, cyber crime, international economic crime, sea piracy, money laundering and financing of terrorism, through effective institutional linkages and cooperation programmes.

2. Strengthening Economic Linkages and Financial Cooperation

- Promote growth and development and increase living standards throughout the region, and to further economic integration by launching negotiations on a Free Trade Agreement (FTA), which will build on the substantial trade and investment linkages already established between ASEAN, Australia and New Zealand.

- Build on existing and ongoing cooperation initiatives under the AFTA-CER, CEP, especially in the areas of trade and investment facilitation measures, as well as technical assistance and capacity building among ASEAN, Australia and New Zealand, particularly for the newer ASEAN members.

- Commence negotiations on an ASEAN-Australia and New Zealand Free Trade Area in early 2005, to be completed within two (2) years, on the basis of the time frames and the guiding principles endorsed by our Economic Ministers attached to this Declaration as an Annex.

- Reaffirm and follow through with their commitments as reflected in the agreement reached in Geneva in August 2004 on a framework to guide the final phase of the Doha Round of World Trade Organisation negotiations recognising the importance of substantial agricultural reform, including the early elimination of all forms of export subsidies, to achieving an acceptable overall outcome in the Doha Round.

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- Support the early accession of non-WTO members of ASEAN in the WTO.

- Promote and strengthen cooperation on financial infrastructure and capital market development in order to achieve sustainable growth in the challenging global economy.

- Explore opportunities for a wider cooperation in the field of tourism in areas such as joint promotion, marketing, investment, and manpower development.

3. Consolidating Functional and Development Cooperation

- Cooperate including through development cooperation programmes, to support and facilitate ASEAN's economic development and integration efforts as it strives to realise the ASEAN Community, giving special attention to projects under the IAI and the VAP.

- Strengthen existing efforts to bridge the development gaps in ASEAN by developing the sub-regional growth areas, such as the ASEAN-Mekong Basin Development Cooperation (AMBDC), Ayeyawaday-Chao Phraya-Mekong Economic Cooperation Strategy (ACMECS), Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA), Cambodia-Laos-Viet Nam Triangle, the Emerald Triangle, Indonesia-Malaysia-Thailand Growth Triangle, and Greater Mekong Sub-region (GMS) to promote economic and social development, strengthen the cohesiveness of ASEAN and improve standards of living in the region.

- Continue Official Development Assistance (ODA) from Australia and New Zealand to ASEAN, especially to the new Member Countries and least developed countries (LDC) of ASEAN in their efforts to narrow the development gaps given the importance, impact and relevance of their past ODA to ASEAN.

- Reinforce mutual cooperation and assistance in human resource development through promoting further education sector linkages student and youth exchanges and scholarships.

- Strengthen cooperation in preventing and combating the spread of communicable diseases, such as HIV/AIDS, SARS and Avian Influenza.

- Encourage the development of new collaborative regional partnerships between Australia, New Zealand and ASEAN members.

- Enhance cooperation in energy security, non-conventional energy, and science and technology.

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- Promote cooperation in the field of sustainable agricultural development focusing on human resource development and capacity building, particularly for the least developed countries of ASEAN, in sanitary and phyto-sanitary measures and agricultural standards.

- Promote sustainable development through strengthening cooperation in various areas of the environment protection and management such as biodiversity, chemicals and hazardous waste, forestry and zoology management ASEAN Heritage Parks and cultural heritage and Marine Protected Areas, and water resources management.

4. Promoting People-to-People Contacts and Exchanges

- Deepen and expand partnership based on mutual trust, respect, equality and understanding of each other's cultures and values through people-to-people exchanges among government personnel, educational and academic exchanges, professional exchanges and grassroots interactions.

- Welcome initiatives taken by ASEAN, Australia and New Zealand to promote a conducive and favourable environment for citizens of ASEAN, Australia and New Zealand who are living, working and studying in each others territories.

- Promote awareness and understanding of ASEAN, Australia and New Zealand among our peoples through enhanced cooperation in the areas of public information, media interaction, tourism, language learning, culture, heritage development and grassroots leadership.

- Foster dialogue among cultures and religions as a means for better understanding and friendship among our peoples.

Implementation and Funding Arrangements

- Task our Ministers to continue to identify and implement concrete measures and activities in realising the purposes of this Declaration and to provide, within respective national capacities, resources needed for its implementation.

- Strengthen funding mechanisms for the effective implementation of this Declaration.

- Provide periodic review of the progress made in the implementation of this Declaration utilising existing mechanisms in the dialogue relations.

SIGNED in Vientiane, Lao PDR, this Thirtieth Day of November in the Year Two Thousand and Four in three originals in the English language.

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For Brunei Darussalam

HAJI HASSANAL BOLKIAH
Sultan of Brunei Darussalam

For Australia

JOHN HOWARD
Prime Minister

For the Kingdom of Cambodia

SAMDECH HUN SEN
Prime Minister

For New Zealand

HELEN CLARK
Prime Minister

For the Republic of Indonesia

DR. SUSILO BAMBANG YUDHOYONO
President

For the Lao People's Democratic Republic

BOUNNHANG VORACHITH
Prime Minister

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For Malaysia

DATO' SERI ABDULLAH AHMAD BADAWI
Prime Minister

For the Union of Myanmar

LIEUTENANT GENERAL SOE WIN
Prime Minister

For the Republic of the Philippines

GLORIA MACAPAGAL-ARROYO
President

For the Republic of Singapore

LEE HSIEN LOONG
Prime Minister

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For the Kingdom of Thailand

DR. THAKSIN SHINAWATRA
Prime Minister

For the Socialist Republic of Viet Nam

PHAN VAN KHAI
Prime Minister

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ANNEX

GUIDING PRINCIPLES FOR NEGOTIATION ON ASEAN-AUSTRALIA AND NEW ZEALAND FREE TRADE AREA (FTA)

The FTA will be mutually beneficial for all parties. With that objective in mind, the negotiations will be guided by the following principles:

(a) The FTA should be comprehensive in scope, covering trade in goods, services and investment.

(b) The objective of the FTA should be to move towards deeper economic integration between the two regions through progressive elimination of all forms of barriers to trade in goods, services and investment; and through trade and investment facilitation and economic cooperation measures.

(c) The FTA should, where relevant, build on members' commitments in the WTO.

(d) Due consideration should be given to the different levels of development and capacity of the Member Countries to participate in comprehensive trade and investment liberalisation. The FTA should therefore include provision for flexibility, including special and differential treatment, especially for the newer ASEAN members.

(e) Recognising the different levels of development among the Member Countries of the two regions, provision should be made for technical assistance and capacity building programs to enable all parties to participate fully and to obtain full benefit from the FTA.

(f) The FTA will be designed to enhance and improve transparency in trade and investment relations between the parties.

(g) The modalities and timeframes of the FTA, including differentiated timeframes for Australia and New Zealand, ASEAN–6 and CLMV, and products, should be settled at an early stage of the negotiations.

(h) The FTA will be open to inclusion of issues not covered by the existing AFTA and CER Agreements, to be agreed by all parties.

(i) The terms of the FTA will be subject to periodic review.

(j) The FTA should be consistent with WTO provisions, including GATT Article XXIV and GATS Article V.

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(k) The FTA should draw, as appropriate, on elements of the economic integration agreements of ASEAN and CER. In addition, the elements of any FTAs involving ASEAN Member Countries, Australia and New Zealand may be used as reference points.

(l) AFTA and CER will continue to exist as distinct, functioning agreements, as will the FTAs between ASEAN Member Countries, Australia and New Zealand. No provision in the FTA will detract from the terms and conditions of bilateral and plurilateral FTAs between ASEAN Member Countries, Australia and New Zealand.

The FTA will be fully implemented within 10 years. The negotiations will commence in early 2005 and be completed within two years.

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