

**REMARKS BY
H.E. BAGAS HAPSORO, DEPUTY SECRETARY-GENERAL OF ASEAN AT THE
CIL WORKSHOP ON TREATY LAW AND PRACTICES**

Singapore, 17-19 January 2012

Prof. Tommy Koh, Chairman of the Centre for International Law, NUS, and Chairman of the CIL Governing Board,

Prof. Robert Beckman, Director of the Centre for International Law, NUS,

Ms. Jill Barrett, British Institute for International and Comparative Law (BIICL),

Distinguished Delegates,

Ladies and Gentlemen,

First of all, I, on behalf of the Secretary-General of ASEAN Dr. Surin Pitsuwan, would like to express my sincere appreciation to the Center for International Law (CIL) and British Institute for International and Comparative Law (BIICL) for organizing this important workshop and for the invitation and hospitality extended to me and my delegation.

I also wish to thank each and every person involved in making this Workshop possible. It gives me a great pleasure and honour to be among the leading legal experts, international lawyers, academia and scholars to discuss and exchange views on the trend and development of international law and treaty making, in particular in ASEAN.

Prof Beckman just mentioned that the aim of the Workshop is to set out broad criteria on good treaty practices by examining the treaty procedures and practices of selected civil and common law jurisdictions as well as that of international organizations serving as treaty clearing-houses or depositaries.

I am glad that many participants from the 10 ASEAN member governments and the ASEAN Secretariat (ASEC) plus 2 officers from the Government of China are attending this Workshop. The speakers at the Workshop include treaty experts formerly with the Foreign Commonwealth Office (FCO) and the Ministry of Foreign Affairs of the Kingdom of the Netherlands, as well as a legal advisor to the Council of Europe.

For ASEAN this workshop is important. This workshop is organized at the time when ASEAN is in the middle of transforming itself into a rules-based organization and moving toward an ASEAN Community by 2015.

Ladies and Gentlemen,

For the benefit of the participants of the Workshop, it might be useful for me to highlight to you some important key developments in ASEAN, in particular, those relating to legal matters and treaty-making process in ASEAN.

I believe that those topics could be of interest of you in further elaborating various issues included in the Workshop.

As you might be well aware, Indonesia has just successfully completed the chairmanship of ASEAN under the theme "ASEAN Community in a Global Community of Nations". Cambodia has recently taken over the chairmanship for the year of 2012 with the theme "ASEAN: one Community, one Destiny".

As a country holding the chairmanship, Cambodia has just successfully hosted in Siem Reap the Retreat of the ASEAN Foreign Ministers' Meeting which discussed and explored ways and means to expeditiously realize the integration and community building goal and objective.

ASEAN, at every level, including the ASEAN Leaders, is committed to intensify work toward a rules-based ASEAN, and to advance the ASEAN Community building process through concrete, practical and meaningful actions.

One important legal instrument, which has just been adopted by the ASEAN Coordinating Council and is more relevant to the topic of the discussion of the today's Workshop, is the Rule of Procedures for Conclusion of International Agreements by ASEAN.

The Rules prescribes the procedures for ASEAN as an inter-governmental organization to enter into agreement with countries, international, regional and sub-regional organizations and institutions in pursuing its external relations as provided for in Article 41.7 of the ASEAN Charter.

Ladies and Gentlemen,

Transforming into a rules-based organization comprising of 10 Member States with different legal systems is not an easy task which can be accomplished within a short period of time.

Challenge is not only the adoption or creation of laws and regulations which could be acceptable to those different legal systems, but also strengthening institutional capacities of various organs/bodies both at the regional and national level to implement or enforce them.

More efforts need to be done among Member States and ASEAN organs to further promote awareness and understanding of various rules, procedures and

agreements/instruments concluded by ASEAN.

In addressing these challenges and as part of the capacity building process, I do hope that this Workshop on Treaty Law and Practice would provide a great opportunity for the participants to share views and best practices on treaty-making process as well as the trend and development of international law and treaty.

I am certain that the ASEAN Secretariat would tremendously benefit from the discussion during the Workshop since the ASEAN Secretariat could act not only as the resource person in the treaty-making process, but also the depository of ASEAN agreements/instruments.

Let me once again to congratulate the CIL and the BIICL for conducting this workshop.

Finally, I look forward to discussing all the issue further in detail during our three-day Workshop, and wish all the success to all of you.

Thank you for your kind attention.
