

2006 ASEAN-CANADA JOINT DECLARATION FOR COOPERATION TO COMBAT INTERNATIONAL TERRORISM

Adopted in Kuala Lumpur, Malaysia on 28 July 2006

The Governments of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, the Socialist Republic of Viet Nam, Member Countries of the Association of Southeast Asian Nations (ASEAN) and the Government of Canada, (hereinafter referred to collectively as "the Participants");

MINDFUL of the 2001 ASEAN Declaration on Joint Action to Counter Terrorism and Declaration on Terrorism by the 8th ASEAN Summit which, inter alia, undertake to strengthen cooperation at bilateral, regional and international levels in combating terrorism in a comprehensive manner;

REALISING that terrorism constitutes a serious crime and is a threat to ASEAN and Canada's peace, security and economic prosperity;

REAFFIRMING their determination to prevent, suppress and eliminate international terrorism in all its forms and manifestations, in accordance with the Charter of the United Nations (UN), international law, including human rights, refugee and humanitarian law, UN Resolutions or Declarations and UN Conventions and Protocols related to Counterterrorism, where applicable, and affirming that the UN should play a major role in combating terrorism;

RECOGNISING the principles of sovereign equality, territorial integrity and non-intervention in the internal affairs of other States;

REALISING that the complexity and transnational nature of terrorism, and in certain circumstances, its linkages with transnational organised crime, call for the comprehensive and concerted approach that embraces concrete action on many fronts;

ACKNOWLEDGING the importance of effective international and regional cooperation to combat and prevent international terrorism;

AWARE of the importance of addressing the root causes of terrorism without acknowledging these as justifications for violence;

MINDFUL of ASEAN and Canada's efforts to enhance vertical and horizontal cooperation and noting the importance placed on counter-terrorism collaboration highlighted in the Co-Chairs' statement of the Second ASEAN-Canada Dialogue in Vancouver in 2005;

NOTING that the Co-Chairs' Statement from the 2004 Bali Regional Ministerial Meeting on Counter-Terrorism resolved to enhance regional cooperation on counter-terrorism;

RECOGNISING work of the ASEAN Ministerial Meeting on Transnational Crime (AMMTC) as a leading ASEAN body for combating terrorism, the ASEAN Regional Forum (ARF) and other ASEAN Mechanisms to strengthen regional and international cooperation in the fight against terrorism;

WELCOMING recent regional cooperation to strengthen dialogue and promote mutual understanding within and among countries, cultures, faiths and civilisations;

NOTING also the strong re-affirmation of commitment to enhancing regional counter-terrorism cooperation contained in the 2003, 2004 and 2005 APEC Economic Leaders Statements;

CONSCIOUS that terrorism, as an international phenomenon, must not be identified with any religion, culture, race or nationality;

ENCOURAGED by the strong cooperation between Member Countries of ASEAN and Canada on matters of regional security and law enforcement matters;

DESIRING to strengthen and expand this cooperation to fight international terrorism through the ARF Intersessional Meeting on Counter-Terrorism and Transnational Crime and recognising the leading role of the AMMTC and other ASEAN Mechanisms for combating terrorism.

1. The Participants acknowledge the United Nations as the primary forum for the development of the global legal framework to combat terrorism, and reaffirm the importance of having a framework for cooperation to prevent, disrupt and combat international terrorism through activities such as the exchange and flow of information, intelligence and capacity building.
2. The Participants emphasise that the purpose of this cooperation is to enhance the efficacy of those efforts to combat terrorism.

Scope and Areas of Cooperation:

3. The Participants stress their commitment to seek to implement the principles laid out in this Declaration, in conformity with their obligations under international law, and in accordance with their respective domestic laws and their specific circumstances, in any or all of the following activities and to review them at appropriate existing meetings.
4. Enhanced cooperation in accordance with this Declaration includes:
 - i. Exchange of information on the organisation, activities, methods, arms used, financing and movement of terrorists and counter-terrorism measures, including on the development of more effective policies and legal, regulatory and administrative counter-terrorism regimes, in accordance with relevant international and domestic law;
 - ii. Greater cooperation on law enforcement measures, including those aimed at prevention, investigation, apprehension and prosecution of terrorist activities via regional initiatives such as the Law Enforcement Working Group established by the Bali Regional Ministerial Meeting on Counter-Terrorism and other ASEAN Mechanisms;
 - iii. Strengthened capacity building efforts, including through training and technical assistance, seminars, workshops and the exchange of best practices, as appropriate;
 - iv. Improved border control, customs and immigration and transport security procedures, to ensure the integrity of travel documents, to prevent document and identity fraud, and to stem the flow of terrorist-related material, money and people;
 - v. Enhanced legal cooperation in criminal matters to bring terrorists to justice, including streamlining the procedures for seeking and granting mutual legal assistance and extradition, where necessary, via regional initiatives such as the Legal Issues Working Group under the framework of the Bali Regional Ministerial Meeting on Counter-Terrorism;

- vi. Strengthened measures to prevent illegal manufacture, possession or trafficking in weapons, ammunition, explosives and other potentially destructive materials or substances;
- vii. Wider exchange of information on best practices and on measures and procedures to strengthen counter-terrorism capability and cooperation as well as practical cooperation on measures to suppress the financing of international terrorism;
- viii. Comply with all the relevant UN resolutions and declarations on international terrorism, including relevant UN Security Council Resolutions;
- ix. Cooperate to support development initiatives aimed at enhancing quality of life, rule of law, good governance, and community awareness in order to reduce the conditions that terrorists seek to exploit;
- x. Implement measures contained in the ARF's Statement on Cooperative Counter-Terrorism Action on border security, the ARF Statement on Cooperation Against Piracy and other Threats to Maritime Security, the ARF Statement on Transport Security Against International Terrorism and other relevant ARF statements where appropriate; and
- xi. Joint exploration, as appropriate, of additional areas of cooperation.

Mechanisms:

5. The Participants will take advantage of such opportunities as are considered in the circumstances to be appropriate and necessary to enhance cooperation to combat terrorism, including through diplomatic missions, visits and meetings of Ministers, officials and experts, as well as the judiciary, and conferences, workshops or seminars given available resources.
6. The Participants will work towards closer and interactive dialogue with civil society, including the academic community, to foster greater understanding and cooperation aimed at eliminating terrorism.
7. The Participants recognise the ongoing need for consistency of counter terrorism frameworks with fundamental human rights standards and will explore appropriate opportunities to enhance awareness and understanding of this.

Participation:

8. The Participants are encouraged to become parties to, and effectively implement, all 13 of the United Nations conventions and protocols relating to terrorism.
9. The Participants are called upon to designate a contact point to coordinate their respective law enforcement and security agencies, authorities dealing with countering terrorist financing and other relevant agencies for the purposes of implementing the declaration.

Disclosure of Information:

10. The Participants will not disclose or distribute any confidential information, documents or data received in connection with this declaration to any third party, at any time, except to the extent agreed in writing by the Participant that provided the information.

Done at Kuala Lumpur, Malaysia, this Twenty-Eighth Day of July in the Year Two Thousand and Six, in three original copies, two in the English Language and one in the French Language.

For ASEAN:

DATO' SERI SYED HAMID ALBAR

Minister of Foreign Affairs Malaysia

Chairman of the 39th ASEAN

Standing Committee

For Canada:

PETER GORDON MACKAY

Minister of Foreign Affairs

Canada