

2009 CHAIRMAN’S STATEMENT OF THE 14TH ASEAN SUMMIT “ASEAN CHARTER FOR ASEAN PEOPLES”

Adopted in Cha-am, Thailand on 28 February - 1 March 2009

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- 1 We, the Heads of State/Government of ASEAN Member States, gathered in Cha-am Hua Hin, Thailand, for the first time under a new Charter, for the 14th ASEAN Summit on 28 February – 1 March 2009. We had extensive, open and fruitful discussions under the theme of "ASEAN Charter for ASEAN Peoples".

ASEAN CHARTER

- 2 We celebrated the entry into force of the ASEAN Charter on 15 December 2008. The Charter provides the legal and institutional framework for ASEAN to be a more rules-based, effective and people-centred organisation paving the way for realising an ASEAN Community by 2015. This ASEAN goal is made even more urgent by the global financial crisis. ASEAN needs to respond effectively to this financial crisis in order to retain its central position in the regional architecture. In this connection, we mandated all ASEAN organs to be guided by and to fully implement the ASEAN Charter.
- 3 We were pleased with the fruitful meeting between our Foreign Ministers and Members of the High Level Legal Experts' Group on Follow-up to the ASEAN Charter, during which recommendations were made particularly on the issues of the legal personality of ASEAN, the establishment of dispute settlement mechanisms and other legal issues under the ASEAN Charter.
- 4 We welcomed the progress made in the establishment of the Committee of Permanent Representatives (CPRs) in Jakarta. Once operationalised, the CPRs will be instrumental in strengthening cooperation among ASEAN Member States, improving coordination with the ASEAN Secretariat and enhancing relations with our external partners.
- 5 We also welcomed the progress made by the High Level Panel on an ASEAN Human Rights Body, which has already submitted the first draft of the Terms of Reference of an ASEAN human rights body (TOR of AHRB) to the ASEAN Foreign Ministers' Meeting on 27 February 2009. We noted that the establishment of the AHRB to promote and protect human rights of ASEAN's peoples would be one of the most important undertakings to make ASEAN a genuinely people-oriented community. We therefore agreed that this body should be inaugurated and operationalised by the 15th ASEAN Summit at the end of 2009.
- 6 We emphasised the need to allocate sufficient resources, including budget and personnel, to strengthen the ASEAN Secretariat so that it can fulfill its additional responsibilities and functions as required by the Charter.

BUILDING REGIONAL RESILIENCE

ECONOMIC AND FINANCIAL STABILITY

- 7 We discussed extensively the global economic and financial crisis and its adverse impact on our region. We were concerned that global economic prospects continue to deteriorate as the major economies plunge deeper into recession. We stressed the importance of deepening ASEAN integration to maintain its resilience while remaining open to global and regional trade.
- 8 We were briefed on expansionary fiscal and monetary policies that each government has undertaken to stimulate their respective domestic economies. We shared policy experience on fiscal stimulus packages to sustain jobs and income for the affected low and middle income groups. We agreed that counter-cyclical and more coordinated macroeconomic policies are the appropriate response to contain the ongoing global financial crisis. We pledged to continue our efforts to ensure that necessary measures would be in place to turn the economy around and prevent a prolonged economic slump.
- 9 In light of our discussions, we issued a Press Statement on the Global Economic and Financial Crisis stressing the importance of macroeconomic policy coordination, standing firm against protectionism, implementing the ASEAN Economic Community Blueprint, and intensifying efforts for a strong Doha Development Agenda outcome. We also commended the ASEAN Plus Three Finance Ministers on the outcome of their special meeting on 22 February 2009 in Phuket regarding the Chiang Mai Initiative Multilateralisation (CMIM). In view of the urgency of launching the CMIM to cope with the global financial crisis, we tasked the ASEAN Finance Ministers to continue working with the Plus Three countries to resolve any remaining issues in order to operationalise this arrangement expeditiously. We would strengthen our cooperation with the International Financial Institutions to utilise their resources and expertise in coping with the present crisis. We also called for a bold and urgent reform of the international financial system that would take into account the interests and voices of the emerging and developing countries.
- 10 At the global level, we agreed to work in tandem with the G20, particularly on the reform of the international financial institutions and markets. We welcomed the informal meeting between ASEAN Foreign Ministers and Lord Mark Malloch-Brown, the British Government's envoy for the London Summit, on 27 February 2009 at the sidelines of the 14th ASEAN Summit and appreciated the invitation extended by the London Summit host to Thailand as the ASEAN Chair to attend the Summit on 2 April 2009. We looked forward to sharing ASEAN's views and working together with other major economies to address the current global economic and financial crisis.

FOOD AND ENERGY SECURITY

- 11 We recognised the importance of addressing the challenge of climate change and the need for ASEAN to work closely together and with other Partners for a successful Copenhagen Conference of States Parties.
- 12 We recognised the need to address the inter-related issues of food and energy security in a comprehensive manner. We pledged to strengthen our cooperation to enhance food security on both production and distribution fronts. We would make sure that resources and technology be sufficiently provided to increase food productivity, while appropriate mechanisms need to be developed to eliminate market distortions for food trade. To ensure food security in time of

crisis, we welcomed the on-going effort to establish an ASEAN Plus Three Emergency Rice Reserve (APTERR) as a permanent mechanism in the region.

- 13 We noted the importance of ASEAN energy cooperation to ensure greater security and sustainability of energy through diversification, development and conservation of resources, the efficient use of energy as well as the wider application of environmentally-sound technologies. In this connection, we welcomed the signing of the ASEAN Petroleum Security Agreement (APSA) which will help contribute to energy security.
- 14 We stressed the need to strengthen our cooperation on the development of renewable and alternative energy including hydropower and bio-fuels. We underlined the need to promote more use of renewable energy in our total energy mix. In this connection, we urged the ASEAN Energy Ministers to set a collectively quantitative target for renewable energy in the total mix of energy for the next five years. We also agreed to promote the development of centers for research and development on renewable energy in the region. We stressed the need to ensure that these sources are sustainable. We agreed to pay attention to the security, environmental, health and safety dimensions of the energy sector.

DISASTER MANAGEMENT

- 15 We welcomed the success of the ASEAN-led mechanism to help the victims of Cyclone Nargis and pledged to continue supporting Myanmar in its recovery efforts following the launching of the Post-Nargis Recovery and Preparedness Plan (PONREPP). We also welcomed the decision of our Foreign Ministers to extend the mandate of the ASEAN Humanitarian Task Force and the Tripartite Core Group until July 2010. In order to enhance our disaster relief capacity, we were encouraged to develop a regionally integrated system to respond to future large scale disasters. We also took note of Thailand's offer to provide training and capacity building facilities on disaster management through the Asian Disaster Preparedness Centre (ADPC).
- 16 We agreed to entrust the ASEAN Secretary-General to serve as ASEAN's humanitarian assistance coordinator which can be activated any time at the request of the affected ASEAN Member State in the event of a major disaster, whether it be a natural disaster or a pandemic.

MILLENNIUM DEVELOPMENT GOALS AND NARROWING THE DEVELOPMENT GAP

- 17 We were pleased with the progress made in the attainment of the Millennium Development Goals (MDGs), particularly in primary education, gender equality and combating infectious diseases. We reiterated the need to strike a balance between economic growth and social development and environmental sustainability to further enhance our effort towards achieving the MDGs.
- 18 We highlighted the strategic importance of concerted efforts in narrowing the development gap in realising a people-oriented ASEAN Community. We approved the Second Initiative for ASEAN Integration (IAI) Work Plan II for the period 2009-2015 and noted that the Work Plan, together with the three Community Blueprints, would help move forward the community-building process in a more balanced, inclusive and sustainable manner.

ASEAN COMMUNITY BUILDING

- 19 We signed the Cha-am Hua Hin Declaration on the Roadmap for the ASEAN Community (2009-2015), comprising 3 pillars, namely, Political-Security Community, Economic Community and Socio-Cultural Community, all of which are closely intertwined and mutually reinforcing for the purpose of ensuring durable peace, stability and shared prosperity in the region.
- 20 In this regard, we tasked the Ministers and the Secretary-General of ASEAN to explore ways and means as well as long term strategy to further mobilise resources from Member States, Dialogue and Sectoral Dialogue Partners, Development Partners of ASEAN as well as from other external Parties to implement the Cha-am Hua Hin Declaration in an effective, timely and sustainable manner.

ASEAN POLITICAL-SECURITY COMMUNITY

- 21 We adopted the ASEAN Political-Security Community (APSC) Blueprint which envisaged ASEAN to be a rules-based Community of shared values and norms; a cohesive, peaceful, stable and resilient region with shared responsibility for comprehensive security; as well as a dynamic and outward-looking region in an increasingly integrated and interdependent world.
- 22 We called for full implementation of the Blueprint in order to help promote peace, stability and prosperity in our region and to protect the interests and welfare of peoples of ASEAN. In this connection, we tasked the ASEAN Political-Security Community (APSC) Council to set priorities for actions and activities to realise the objectives of the APSC in accordance with the principles and purposes of the ASEAN Charter.
- 23 We welcomed the results of the 3rd ASEAN Defense Ministers' Meeting (ADMM) convened in Pattaya, Thailand on 25-27 February 2009 which contributed towards the strengthening of the ASEAN Political-Security Community, reinforced ASEAN's ability to deal with non-traditional security challenges such as disasters, including in cooperation with civil society organisations, and strengthened the framework for future dialogue and cooperation with ASEAN Dialogue Partners and friends

ASEAN ECONOMIC COMMUNITY

- 24 We welcomed the outcomes of the Inaugural ASEAN Economic Community Council Meeting, particularly the AEC Scorecard mechanism that tracks the implementation of our commitments and the AEC Communication Plan that contributes to greater awareness of AEC.
- 25 We appreciated the progress made following the signing of the Declaration on the AEC Blueprint at the 13th ASEAN Summit in Singapore on 20 November 2007 and underscored the importance of timely integration of ASEAN economies under the theme "Walk together, work together toward AEC".
- 26 We agreed that in order to facilitate trade liberalisation in ASEAN in order to expand intra-ASEAN trade, the ASEAN Secretary-General could engage in cooperation with the private sector, for example, in championing a certain project.

GOODS

- 27 We appreciated the conclusion of the ASEAN Trade in Goods Agreement (ATIGA) and its signing by the ASEAN Economic Ministers at the sidelines of this Summit. We recognised that

ATIGA contains a number of key features that would enhance transparency, certainty and predictability in the ASEAN legal framework and enhance AFTA's rules-based system, which is of importance to the ASEAN business community and consumers.

- 28 We welcomed the finalisation of the Sectoral Mutual Recognition Arrangement (MRA) on Good Manufacturing Practice (GMP) Inspection of Manufacturers of Medicinal Products and looked forward to its signing by the ASEAN Economic Ministers at the earliest opportunity.

SERVICES

- 29 We noted the substantial progress that has been made in liberalising trade in services through various rounds of AFAS negotiations, and were encouraged by the signing of the Protocol of the 7th Package of AFAS commitments at the sidelines of this Summit, which had further liberalised the services sector in this region.

INVESTMENTS

- 30 We welcomed the signing of the ASEAN Comprehensive Investment Agreement (ACIA) at the sidelines of this year's Summit. We appreciated the timely introduction of ACIA as this new comprehensive agreement makes ASEAN more attractive as an investment destination and enhance further expansion of intra-ASEAN investment which would stimulate ASEAN economy.

TOURISM

- 31 We appreciated the commitments and efforts of ASEAN Tourism Ministers in further integrating tourism towards the establishment of the ASEAN Economic Community by formulating an ASEAN Tourism Strategic Plan 2011-2015 and developing ASEAN Tourism Connectivity Corridors. We also acknowledged counter measures in response to economic downturn by declaring the years 2009-2010 as the Youth Travellers' Years with ASEAN Tourism Incentives.

DOHA DEVELOPMENT AGENDA

- 32 We reaffirmed our commitment to a successful conclusion of the Doha Round. We urged all Members of the World Trade Organisation, especially the major players, to expeditiously reengage and exercise flexibility to bring about an early conclusion of the Round. We believe that an early conclusion to the modalities negotiations, and thereafter, the Doha Round, would help to restore confidence and growth in the global economy. A successful Doha Round would provide a "stimulus package" at a multinational level to help mitigate the negative effects of this current global economic crisis.
- 33 We propose to preserve the progress that had been achieved in 2008, especially in the areas of agriculture and industrial goods modalities, so that we can focus on narrowing our remaining differences.
- 34 We called on developed countries to increase assistance to developing countries, and in particular to Least Developed Countries, with a view to increasing their participation in the global trade and alleviate the effects of the current global crisis.
- 35 We urged that the accession process of the Lao PDR to the World Trade Organisation be facilitated and expedited with special emphasis on their development.

SMALL AND MEDIUM ENTERPRISES (SMES)

- 36 With its largest share in the economy, Small and Medium Enterprises (SMEs) can play a significant role in cushioning the impact of economic slowdown through job creation in manufacturing and service sectors. SMEs' strengths should be capitalised and nurtured and shielded from the impact of the on-going crisis. Bigger corporations should also be encouraged to partner with SMEs within their immediate circle, integrate them into production chains, and lend helping hands in terms of R&D, commercialisation of innovations, guidance, and technologies. While SME is already one of priority areas in our AEC Blueprint, we should nonetheless expedite SMEs' development. In this regard, we tasked the AEC Council to develop a concrete plan of actions aimed at enhancing the SMEs' competitiveness and resilience in our region.
- 37 We also underlined the need to foster partnership between the private sector and the ASEAN Secretariat to act as a driving force to accelerate implementation of the Priority Integration Sectors (PIS).

ASEAN SOCIO-CULTURAL COMMUNITY

- 38 We adopted the ASEAN Socio-Cultural Community (ASCC) Blueprint to serve as the roadmap to realise an ASEAN Community that is people-centred, socially responsible with a view to achieving solidarity, unity and a common identity and building a sharing and caring society which is inclusive and harmonious where the well-being, livelihood, and welfare of the peoples are enhanced. In view of this, we emphasised the importance of enhancing cooperation in human development; promoting social welfare, justice and rights; ensuring environmental sustainability; building the ASEAN identity and narrowing the development gap.
- 39 We encouraged ASEAN Member States to continue promoting ASEAN awareness among our peoples particularly the youths through education and culture. Under education, we viewed that the development of national ASEAN curriculum for all educational levels would prepare our youths to reap the benefits as well as contribute to the ASEAN Community building process. We also encouraged the development of life-long education as well as the use of ICT as a means to promote ASEAN education and ASEAN awareness particularly for those living in underprivileged and marginalised areas.
- 40 We stressed the importance of enhancing people's participation in the ASEAN Community building process. We therefore welcomed Thailand's initiative in establishing the ASEAN-Association of Thailand which would provide a platform for engagement with representatives from governmental agencies, educational institutes and civil society organisations on ASEAN Community building.

- 41 We welcomed 'The ASEAN Way' as the official ASEAN Anthem which is the concrete outcome of the implementation of the ASEAN Charter. The ASEAN Way is under the copyright of ASEAN with the ASEAN Secretariat as the main body to oversee its proper use. We encouraged The ASEAN Way to be used within ASEAN formal meetings and related activities as well as with ASEAN Dialogue Partners. We encouraged ASEAN Member States to promote The ASEAN Way within their countries through translation into local languages as well as adaptation into various versions as a way to promote ASEAN awareness. We also highlighted the need to develop the idea and sense of ASEAN citizen, who has greater awareness of ASEAN and of its values and principles.

REGIONAL AND INTERNATIONAL ISSUES

MYANMAR

- 42 We had open discussions on Myanmar. We were briefed by H.E. Prime Minister Thein Sein on recent political development and the progress made in the implementation of the 7-step Roadmap to Democracy. We encouraged the Myanmar Government to facilitate the national reconciliation process to be more inclusive so as to strengthen national unity, thereby contributing to peace and prosperity in Myanmar. In this connection, the release of political detainees and the inclusion of all political parties in the political process leading to the general elections in 2010 will contribute significantly to the national reconciliation process. We underscored the necessity for and welcomed Myanmar Government's willingness to engage in active cooperation actively with the UN Secretary-General's Special Envoy as well as the UN Special Rapporteur on Human Rights in order to address the international community's concern about the situation in Myanmar.

ILLEGAL MIGRANTS IN THE INDIAN OCEAN

- 43 We had a productive discussion on the issue of illegal migrants in the Indian Ocean. To address this issue, cooperation among countries of origin, transit and destination is of great importance. At the same time, the issue should be addressed in a larger context, such as the contact group of affected countries and the Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crimes. We also tasked the ASEAN Secretary-General to coordinate with the Myanmar Government to obtain the relevant statistics related to these illegal migrants in the Indian Ocean.

SITUATION IN THE GAZA

- 44 We discussed the situation in the Gaza. We emphasised that the welfare and wellbeing of the Palestinian people in the Gaza was of paramount importance. We called for the unimpeded access of humanitarian assistance to the Palestinian people throughout the Gaza in order to help alleviate their plight. We supported all efforts, regional and international, aimed at achieving a durable ceasefire on the ground.
- 45 We stressed the importance of promoting recovery and rehabilitation in the Gaza and the need for sustained international assistance in this regard. In this connection, we urged active participation by all countries concerned in an International Conference on Gaza Reconstruction organized by Egypt in Sharm El-Sheikh on 2 March. We welcomed efforts to achieve reconciliation amongst the Palestinian people and in particular the latest agreement between Palestinian factions to establish committees to address the formation of a unity government. We called for renewed efforts by all parties concerned and the international community to achieve a comprehensive peace based on the vision of a region where two democratic States, Israel and Palestine, live side by side in peace with secure and recognised borders, as

envisaged in UN Security Council resolution 1850 (2008), and the Arab Peace Initiative. Towards this end, talks between the Israeli and Palestinian sides should be held as soon as possible.

ASEAN'S EXTERNAL RELATIONS

- 46 We welcomed the appointments of non-ASEAN Ambassadors to ASEAN who will be instrumental in closer relations and cooperation between ASEAN and our external partners.
- 47 We welcomed the upcoming ASEAN-ROK Commemorative Summit to be held on 1-2 June 2009, on Jeju Island, the ROK, to celebrate the 20th Anniversary of ASEAN-ROK Dialogue Partnership. We shared the view that the Summit would be a good opportunity to review the 20-year-long dialogue partnership and map out future directions of cooperation between ASEAN and the ROK.
- 48 We recognised that ASEAN's existing Free Trade Agreements with Dialogue Partners are important in enhancing market access for ASEAN products and services and laying the foundation for ASEAN to forge stronger links with the other Asian economies and the rest of the global economy.
- 49 In this connection, we welcomed the progress made in the implementation of the ASEAN-China Trade in Goods Agreement, ASEAN-China Trade in Services Agreement, ASEAN-ROK Trade in Goods Agreement, and ASEAN-Japan Comprehensive Economic Partnership Agreement. We also noted with pleasure the conclusion of the ASEAN-China Investment Agreement, which is targeted to be signed during the upcoming Related Summits with Dialogue Partners in April 2009.
- 50 We congratulated the signing of the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA). The Leaders urged both sides to explore ways to resolve remaining technical issues under the ASEAN-India Free Trade Agreement.
- 51 We supported Thailand's proposal to convene the ASEAN Plus One, ASEAN Plus Three and East Asia Summits in Thailand during 10-12 April 2009. In this connection, we urged our relevant Dialogue Partners to work towards finalizing the dates for the above Related Summits. We also considered the broadening of participation in these Summits so as to mobilise the resources of the Asian community, the International Financial Institutions (IFIs) and the United Nations system to tackle the global economic and financial crisis.

OTHER MATTERS

- 52 We renewed our commitment to build a people-centred ASEAN through greater peoples participation in our community-building process. In this connection, we were pleased with the outcomes of our Informal Meetings with representatives from various groups, namely the ASEAN Inter-Parliamentary Assembly (AIPA), ASEAN Youth and ASEAN civil society. We also appreciated the useful insights provided by the ASEAN Business Advisory Council (ABAC) Leaders during our Working Lunch.