

**2018 MEMORANDUM OF UNDERSTANDING BETWEEN THE
ASSOCIATION OF SOUTHEAST ASIAN NATIONS AND THE
GOVERNMENT OF AUSTRALIA ON COOPERATION TO COUNTER
INTERNATIONAL TERRORISM**

Signed in Sydney, Australia on 17 March 2018

PARAGRAPH 1 OBJECTIVE	3
PARAGRAPH 2 AREAS AND SCOPE OF COOPERATION	3
PARAGRAPH 3 FORMS OF COOPERATION.....	4
PARAGRAPH 4 ADDITIONAL AREAS, SCOPE AND FORMS OF COOPERATION	5
PARAGRAPH 5 IMPLEMENTATION ARRANGEMENT	5
PARAGRAPH 6 CONFIDENTIALITY OF INFORMATION	5
PARAGRAPH 7 DOMESTIC AND INTERNATIONAL LAW	5
PARAGRAPH 8 SETTLEMENT OF DISPUTES	5
PARAGRAPH 9 AMENDMENT AND REVIEW	5
PARAGRAPH 10 COMMENCEMENT AND TERMINATION	6

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The Association of Southeast Asian Nations (ASEAN) and the Government of Australia (hereinafter referred to collectively as "the Participants");

DESIRING to strengthen the friendly cooperation between the Participants;

RECALLING the 2016 ASEAN-Australia Joint Declaration for Cooperation to Combat International Terrorism as well as the 2001 ASEAN Declaration on Joint Action to Counter Terrorism, the 2004 ASEAN-Australia Joint Declaration for Cooperation to Combat International Terrorism, the 2007 ASEAN Convention on Counter Terrorism, the ASEAN Comprehensive Plan of Action on Counter Terrorism, the Plan of Action to Implement the ASEAN-Australia Strategic Partnership (2015-2019), and the 2017 Manila Declaration to Counter the Rise of Radicalisation and Violent Extremism, which serve as valuable frameworks for regional efforts to counter terrorism, including countering radicalisation and violent extremism leading to terrorism;

RECOGNISING the significant and evolving threat from terrorism in the region and the unacceptable risk this poses to the safety of their communities and to regional peace and security, stability and economic prosperity;

ACKNOWLEDGING the strength and value of existing counter-terrorism cooperation among the Participants and the need for resolute and concerted collective action by the Participants at the regional level;

REAFFIRMING the importance of strengthening and expanding bilateral, regional and sub-regional cooperation and collaboration to counter the growing threat from international terrorism and violent extremism;

REALISING the need to take joint action to combat the growing threat posed by foreign terrorist fighters, including through more timely sharing of information and intelligence and stronger border controls;

REFLECTING the determination of the international community to prevent, suppress and eliminate international terrorism in all its forms and manifestations in accordance with international law, including the UN Charter and applicable international counter terrorism instruments, and paying due regard to relevant United Nations resolutions on international terrorism;

RESPECTING the principles of sovereign equality, territorial integrity and non-interference in the internal affairs of other states;

RECOGNISING that international terrorism and violent extremism represent a threat to all countries and peoples, irrespective of faith, nationality, culture or community;

NOTING with concern the growing links between international terrorism and other forms of transnational crime;

ACKNOWLEDGING the importance of integrating national counter-terrorism and countering violent extremism responses into wider national plans to prevent conflict and build resilient, respectful, equitable and inclusive societies; and

RECOGNISING the role of women in combating terrorism and ensuring their participation to prevent violent extremism and counter terrorism, in line with the women, peace and security agenda;

HAVE REACHED THE FOLLOWING UNDERSTANDINGS:

**PARAGRAPH 1
OBJECTIVE**

This Memorandum of Understanding provides a framework for strengthening practical cooperation and collaboration among the Participants to counter international terrorism, including countering radicalisation and violent extremism that leads to terrorism.

**PARAGRAPH 2
AREAS AND SCOPE OF COOPERATION**

Subject to the Participants' respective policies and counter-terrorism needs and priorities, the availability of financial and other resources, and specific circumstances, the areas and scope of cooperation under this Memorandum of Understanding may include:

- (a) sharing information and intelligence on issues related to terrorism and violent extremism;
- (b) strengthening law enforcement cooperation, including the prevention and investigation of terrorist acts and the apprehension and prosecution of terrorist offenders;
- (c) combating money laundering and the financing of terrorism;
- (d) enhancing the understanding of, and countering, detecting, deterring, and disrupting the links between terrorism and transnational organised crime;
- (e) developing appropriate and effective legal, regulatory and administrative counter-terrorism regimes;
- (f) enhancing existing counter-terrorism coordination and cooperation mechanisms;
- (g) disrupting and combating cross-border movement by terrorists and their supporters through strengthening border management and transport security arrangements;
- (h) disrupting and combating the illegal trafficking in weapons, ammunition, explosives and other destructive materials or substances;
- (i) addressing the underlying factors and conditions that contribute to the spread of terrorism and violent extremism, including by providing access to justice and respecting and promoting the rights, dignity and welfare of all people;
- (j) countering violent extremism, including through countering the use by terrorists of the internet and social media platforms, developing effective counter narratives, and implementing prevention, rehabilitation and reintegration programs, and community engagement;

- (k) exchanging lessons learned and best practices on deradicalisation and counter-radicalisation programs;
- (l) exchanging lessons learned and best practices in the management of terrorism- related prisoners;
- (m) strengthening maritime and aviation security, in accordance with relevant standards and recommended practices of the International Maritime Organization and International Civil Aviation Organization;
- (n) taking collaborative measures, where appropriate, to help strengthen national counter-terrorism co-ordination and capabilities, including crisis and response management for terrorist incidents;
- (o) protecting soft targets, crowded places and critical infrastructure, including tourism infrastructure and assets;
- (p) enhancing cooperation, dialogue and exchange of information among law enforcement, security, border management, defence and other relevant agencies, where appropriate, on international terrorist acts;
- (q) strengthening collaboration and capacity in preventing and combating chemical, biological, radiological and nuclear terrorism; and
- (r) promoting international counter-terrorism norms, including the implementation of United Nations Security Council resolutions relating to terrorism and violent extremism, such as UNSCR 1267, 1373, 1989 and 2368.

PARAGRAPH 3 FORMS OF COOPERATION

Subject to the Participants' respective policies and counter-terrorism needs and priorities, the availability of financial and other resources, and specific circumstances, the forms of cooperation under this Memorandum of Understanding may include:

- (a) exchange of publications, research and other forms of information as appropriate;
- (b) consultations between officials on issues relating to terrorism and violent extremism;
- (c) capacity-building and technical assistance, including through training, education programs, seminars, workshops, collaboration on projects of mutual interest and sharing best practices and lessons learned;
- (d) exchange of visits to discuss issues relating to international terrorism and violent extremism;
- (e) convening, where appropriate, meetings, seminars, workshops and conferences; and
- (f) collaboration in regional and multilateral forums on issues relating to international terrorism and violent extremism.

**PARAGRAPH 4
ADDITIONAL AREAS, SCOPE AND FORMS OF COOPERATION**

The Participants may, when appropriate, mutually determine additional areas, scope and forms of cooperation under this Memorandum of Understanding.

**PARAGRAPH 5
IMPLEMENTATION ARRANGEMENT**

This Memorandum of Understanding will be implemented, as appropriate, by relevant government agencies. The Participants will utilise the existing ASEAN Plus Australia Senior Officials Meeting on Transnational Crime Consultation to oversee, guide, monitor and review the implementation of this Memorandum of Understanding.

**PARAGRAPH 6
CONFIDENTIALITY OF INFORMATION**

The Participants and implementing agencies shall respect and observe the confidentiality of any data, information or intelligence exchanged between them under this Memorandum of Understanding. Information of a sensitive or confidential nature provided by one of the Participants and clearly identified as such shall not be disclosed to a third party without the express written consent of the other Participant. The provisions of this paragraph shall continue to apply in the event of termination of this Memorandum of Understanding.

**PARAGRAPH 7
DOMESTIC AND INTERNATIONAL LAW**

This Memorandum of Understanding will be implemented in accordance with ASEAN Member States' and Australia's respective domestic laws, regulations and international legal obligations. It does not create or impose any legally-binding obligations on the Participants.

**PARAGRAPH 8
SETTLEMENT OF DISPUTES**

Any disputes arising from the interpretation or implementation of this Memorandum of Understanding will be settled amicably by consultations or negotiations between the Participants through diplomatic channels and not referred to any third party.

**PARAGRAPH 9
AMENDMENT AND REVIEW**

This Memorandum of Understanding may be amended or reviewed at any time by mutual consent of the Participants. Amendments will be in writing and consist of an exchange of letters between the Participants through diplomatic channels. Such amendments will come into effect on such date as may be determined by the Participants and will form an integral part of this Memorandum of Understanding.

**PARAGRAPH 10
COMMENCEMENT AND TERMINATION**

1. This Memorandum of Understanding will come into effect on the date of its signature.
2. The Participants may terminate this Memorandum of Understanding at any time through the exchange of letters through diplomatic channels. Termination would take effect on a date mutually determined in writing by the Participants. The termination of this Memorandum of Understanding will not affect the implementation of ongoing activities and programs, unless the Participants mutually decide otherwise.

SIGNED at Sydney, Australia, on this Seventeenth Day of March in the Year Two Thousand and Eighteen, in two original copies in the English language.

For ASEAN:

DATO LIM JOCK HOI

Secretary-General of ASEAN

For the Government of Australia:

JULIE BISHOP

Minister for Foreign Affairs