

2019 EAST ASIA SUMMIT LEADERS' STATEMENT ON COOPERATION TO COMBAT TRANSNATIONAL CRIME

Adopted in Bangkok, Thailand on 4 November 2019

WE, the Heads of State and Government of the Member States of the Association of Southeast Asian Nations (ASEAN), Australia, the People's Republic of China, the Republic of India, Japan, the Republic of Korea, New Zealand, the Russian Federation, and the United States of America, on the occasion of the 14th East Asia Summit (EAS) in Bangkok, on 4 November 2019;

REAFFIRMING the EAS participating countries' continuing commitment to the rule of law and promoting sustainable security through improved cooperation to combat transnational crime;

RECOGNISING the shared challenge of transnational crime, which is growing in scale and complexity;

RECOGNISING the need to be vigilant and address effectively and in a timely manner, existing and emerging transnational and trans-boundary challenges and threats that have the potential to undermine the stability and well-being of the region;

CONCERNED that criminals are taking advantage of porous borders and jurisdictional, intelligence and information gaps between countries and operating across multiple crime types;

UNDERLINING the EAS participating countries' resolve in detecting, deterring, suppressing, disrupting, combating, and preventing transnational crime;

UNDERSTANDING that effectively combating transnational crime requires cooperation within and between EAS participating countries;

HIGHLIGHTING that the increasing movement of people, goods and capital across borders presents both opportunities and challenges in our region;

UNDERSTANDING the increasing links between different types of transnational crime, including that the illicit revenue sourced from one criminal activity can be used in other criminal activities;

EXPRESSING concern that terrorists can benefit from transnational organised crime as a source of financing or logistical support, recognising that the nature and scope of the linkages between terrorism and transnational organised crime vary by context, and emphasising the need to coordinate efforts at the local, national, regional, sub regional and international levels to respond to this challenge, in accordance with international law;

WELCOMING discussions on cooperation on combating transnational crime and countering terrorism at the United Nations Congress on Crime Prevention and Criminal Justice;

ACKNOWLEDGING that the legal, law enforcement and regulatory responses needed to combat transnational crime are common to many crime types;

REAFFIRMING the commitment to applicable international instruments that facilitate cooperation between EAS participating countries, such as the United Nations Convention against Transnational Organized Crime (UNTOC) and the protocols thereto, the United Nations Convention against Corruption (UNCAC), and criminal justice responses to established and emerging threats;

APPRECIATING the work of ASEAN to date and ASEAN's commitment to combat transnational crime and strengthen cooperation on border management as set out in the ASEAN Leaders' Declaration on Drug-Free ASEAN 2015 (2012), the Kuala Lumpur Declaration in Combating Transnational Crime (2015), the ASEAN Political- Security Community Blueprint 2025, the ASEAN Plan of Action in Combating Transnational Crime (2016-2025), the Manila Declaration to Counter the Rise of Radicalisation and Violent Extremism (2017), the ASEAN Declaration to Prevent and Combat Cybercrime (2017), the ASEAN Plan of Action to Prevent and Combat the Rise of Radicalisation and Violent Extremism (2018-2025), and to the ASEAN Convention on Counter Terrorism, and the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (2015);

RECALLING previous statements addressing components of transnational crime, including the EAS Leaders' Declaration on Anti-Money Laundering and Countering the Financing of Terrorism (2017), the EAS Declaration on Strengthening Responses to Migrants in Crisis and Trafficking in Persons (2016), and the EAS Declaration on Combating Wildlife Trafficking (2014);

RECOGNISING the valuable role the private sector can play in combating transnational crime, including in relation to the development of effective policy, regulatory and operational responses to transnational crime, while recognising that States play the primary role in this sphere;

RECOGNISING the importance of preventing and countering the criminal misuse of information and communications technologies (ICTs) such as the internet, including for terrorist purposes or to incite terrorist acts, while upholding States' sovereignty and consistent with national and international law, including human rights and fundamental freedoms;

REAFFIRMING the EAS participating countries' commitment to continuing work towards peaceful and inclusive societies for sustainable development, access to justice for all, and effective, accountable and inclusive institutions at all levels;

DO HEREBY DECIDE TO:

1. **INTENSIFY** cooperation and encourage national efforts to combat and prevent transnational crime including in legal, law enforcement, regulatory and border security contexts;
2. **PROMOTE** a wider understanding amongst the EAS participating countries of the evolving nature of the transnational crime threat, as well as the increasing links and convergence between different types of transnational crime, and develop and deliver targeted, appropriate responses;
3. **ENCOURAGE** closer cooperation with relevant international organisations and fora including the United Nations Office on Drugs and Crime (UNODC), and the Financial Action Task Force (FATF) and FATF-style regional bodies, as well as the effective implementation of FATF standards;
4. **CALL** for enhanced collaboration on transnational crime consistent with domestic laws and regulations within and between the EAS participating countries, including through:
 - a. implementation of relevant international instruments, including UNTOC and UNCAC;
 - b. regular and timely exchange and sharing of information;
 - c. training and capacity building of law enforcement personnel, including prosecutors, investigating magistrates and customs personnel and other personnel charged with the prevention, detection and control of the offences;
 - d. exchange of best practices to strengthen legislative frameworks and mutual legal assistance, where applicable;
 - e. enhanced investigative, prosecutorial and judicial cooperation;

5. **ENHANCE** cooperation to combat money laundering and the influx of the proceeds of crimes committed abroad, consistent with applicable international instruments.

6. **ADDRESS** the risks to vulnerable members of society from specific transnational crime such as human trafficking, which is defined in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UNTOC, as well as child sexual exploitation and abuse;

7. **DEVELOP** and **IMPLEMENT**, where necessary, appropriate responses, including through legislative, law enforcement and judicial means, including where relevant through engagement with victims of crime, and including by engaging with relevant local communities and non-governmental actors in developing strategies to counter organised crime including by empowering youth, families, women, religious, cultural, and education leaders, and all other concerned groups of civil society;

8. **ENHANCE** coordination with relevant ASEAN-led mechanisms and sectoral bodies to combat transnational crime, including the ASEAN Ministerial Meeting on Transnational Crime (AMMTC), the ASEAN Ministerial Meeting on Drug Matters (AMMD), the ASEAN Defence Ministers' Meeting (ADMM), and the ASEAN Regional Forum (ARF);

9. **ENHANCE** cooperation in preventing and combating transnational crime through existing regional frameworks including the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, where appropriate, as well as regional and international institutions and organisations such as the International Criminal Police Organization (INTERPOL).

ADOPTED in Bangkok, the Kingdom of Thailand, on the Fourth of November in the Year Two Thousand and Nineteen.