

2005 JOINT COMMUNIQUE OF THE 6TH ASEAN LAW MINISTERS MEETING

Adopted in Ha Noi, Viet Nam on 20 September 2005

1. The 6th Meeting of ASEAN Law Ministers was held on 19th – 20th September 2005 in Ha Noi, Viet Nam.
2. The Ministers expressed their appreciation to H.E Mr. Vu Khoan, Deputy Prime Minister of the Socialist Republic of Viet Nam, for gracing the Opening of the Meeting as Guest-of-Honour and delivering the Keynote Address.
3. In his Keynote Address, H.E Mr. Vu Khoan recognized the necessity and importance of integration and gradual harmonisation of national laws to catch up with the level of cooperation and integration amongst ASEAN Member Countries. Only by doing so will ASEAN Member Countries' law and judicial framework become the engine and foundation to support and create favorable condition for the sustainable cooperation and development in ASEAN in the future. He stressed the need for ASEAN to have new proposals and initiatives in the field of law and justice and encouraged the Ministers to evaluate and assess the recent law and judicial cooperation programmes in ASEAN in order to bravely raise new levels of cooperation. He recognized the urgency to consider strengthening, deepening and improving mutual legal assistance in criminal, civil and commercial matter among ASEAN Member Countries. He encouraged the Ministers to develop commercial arbitration and international investment; legislation on maritime security; cooperation in education for ASEAN law officials; and other new cooperative ideas.
4. The Meeting was attended by the Hon. Dato Seri Paduka Kifrawi Dato Kifli, Attorney General of Brunei Darussalam, H.E. Mr. Y Dan, First Secretary of State, Ministry of Justice of the Kingdom of Cambodia, H.E. Dr. Hamid Awaludin, Minister of Law and Human Rights of the Republic of Indonesia, H.E. Mr. Kham Ouane Boupha, Minister, Ministry of Justice of Lao PDR, H.E. Dato' Seri Mohd. Radzi Sheikh Ahmad, Minister in the Prime Minister's Department of Malaysia, H.E. Dr. Tun Shin, Deputy Attorney-General of the Union of Myanmar, H.E. Mr. Ramon J. Liwag, Undersecretary, Department of Justice of the Republic of the Philippines, H.E. Prof. Ho Peng Kee, Senior Minister of State for Law and Home Affairs of the Republic of Singapore, H.E. Pol. Gen. Dr. Chidchai Vanasatidya, Deputy Prime Minister and Minister of Justice of the Kingdom of Thailand and H.E. Dr. Uong Chu Luu, Minister of Justice of the Socialist Republic of Viet Nam.
5. Prof. Wilfrido V. Villacorta, Deputy Secretary-General of ASEAN, was also present.
6. The Ministers expressed commitment to the Bali Concord II of 2003, which is a landmark decision for ASEAN to work toward an ASEAN Community comprising three pillars, namely, ASEAN Security Community (ASC), ASEAN Economic Community (AEC) and the ASEAN Socio-Cultural Community (ASCC). The Ministers also expressed support for the Vientiane Action Programme (VAP) to realize the Plans of Action for ASC, AEC and ASCC, and tasked ASLOM to coordinate and work closely with the other ASEAN bodies to implement the VAP.
7. The Ministers highlighted the importance of having a strong legal framework as the foundation for economic and social development and acknowledged the work and efforts of the ASEAN Senior Law Officials in this direction. The Ministers further stressed that the ASEAN Senior Law Officials Meeting (ASLOM) should continue to cooperate in developing regional legal frameworks to facilitate greater ASEAN integration and cohesiveness.
8. To this end, the Ministers agreed that ASLOM be mandated to address all matters pertaining to legal cooperation to support ASEAN integration initiatives, which are common to all its members.

9. The Ministers stressed the importance of strengthening cooperation on judicial assistance in civil and commercial matters and agreed to ASLOM's proposal to establish the Working Group on an Agreement on Service Abroad of Judicial and Extra Judicial Documents amongst ASEAN Member Countries and an Agreement on Abolishment of Legalisation of Foreign Public Documents Used in Judicial Assistance amongst ASEAN Member Countries. The Ministers also agreed to ASLOM's proposals to establish working groups to examine modalities for harmonising the trade laws of ASEAN Member Countries, uniform laws on legalisation of foreign public documents, a model ASEAN extradition treaty and a model law on maritime security. The Ministers further agreed to ASLOM's proposals to hold the 3rd ASEAN Law Forum (ALF) on Cooperation on Judicial Assistance in Civil and Commercial Matters among ASEAN Member Countries, the 3rd ASEAN Government Legal Officers Programme (AGLOP) and the Workshop on International Commercial and Investment Arbitration.

10. The Ministers underlined the importance of enhancing coordination linkages with the ASEAN Ministerial Meeting on Transnational Crimes (AMMTC) in preventing and combating transnational crimes and terrorism. In this regard, the Ministers noted the successful conclusion of the Treaty on Mutual Legal Assistance in Criminal Matters in 2004 and encouraged the relevant countries to expedite the process of ratification of the Treaty.

11. The Ministers agreed to hold the 7th ASEAN Law Ministers Meeting (ALAWMM) in Brunei Darussalam in 2008. The exact dates and venue will be agreed upon after consultations among ASEAN Member Countries.