

2011 JOINT COMMUNIQUE OF THE EIGHTH ASEAN LAW MINISTERS MEETING

Adopted in Phnom Penh, Cambodia on 5 November 2011

1. The Eighth ASEAN Law Ministers Meeting (ALAWMM) was held on 4-5 November 2011 in Phnom Penh, Cambodia.
2. The Ministers expressed their appreciation to H.E. Samdech Akka Moha Sena Padei Techo Hun Sen, Prime Minister of the Kingdom of Cambodia for officiating the opening of the Meeting as Guest-of-Honour and delivering the Keynote Remarks. In his Remarks, H.E. Samdech Akka Moha Sena Padei Techo Hun Sen recognized the important role of the ASEAN Senior Law Official Meeting (ASLOM) and the ASEAN Law Ministers Meeting (ALAWMM) in supporting and facilitating ASEAN cooperation and integration efforts over the past years. He also commended the achievements and evolution of ASLOM and ALAWMM in the area of law and legal cooperation since their inception over 3 decades ago. H.E. Samdech Akka Moha Sena Padei Techo Hun Sen also highlighted that since the entry into force of the ASEAN Charter, law and legal matters are now more important than ever as ASEAN will need to put in place various rules and regulation as well as institutional frameworks to facilitate the realization of the ASEAN objectives to establish the ASEAN Community by 2015. To this end, he expressed his hope that ALAWMM will continue to play an important role and contribute to the success of the ASEAN community building process.
3. The Meeting was chaired by H.E. ANG Vong Vathana, Minister of Justice of Kingdom of Cambodia and attended by H.E. Datin Seri Paduka Hayati Salleh, Attorney-General of Brunei Darussalam, H.E. Amir Syamsuddin, Minister for Law and Human Rights, Republic of Indonesia; H.E. Chaleune Yipaoheu, Minister of Justice, Lao People's Democratic Republic; H.E. YB Dato' Seri Mohamed Nazri Abdul Aziz, Minister in the Prime Minister's Dept of Malaysia; H.E. Tun Shin, Attorney General of the Union, the Republic of the Union of Myanmar; H.E. Leila M. De Lima, Secretary of Justice, Republic of the Philippines; H.E. Koh Juat Jong, Solicitor-General, Republic of Singapore; H.E. Preecha Thananan, Vice Minister of Justice, Kingdom of Thailand; H.E. Ha Hung Cuong, Minister of Justice, Socialist Republic of Viet Nam; and H.E. Bagas Hapsoro, Deputy Secretary-General of ASEAN.
4. The Ministers noted with satisfaction the progress made by ASLOM in carrying out its work in the implementation of various legal cooperation programmes and activities agreed upon at previous ALAWMMs and ASLOMs. To this end, the Ministers commended the work on updating the ASEAN Government Law Directory, the ASEAN Law Information Authority (ALIA), and the implementation of various ASEAN Government Law Officers Programmes and Exchange of Study Visits which significantly contributed to ASEAN Member States' efforts in promoting awareness and understanding of each other's legal system. The Ministers were pleased to take note of the entry into force of the ASEAN Convention on Counter-Terrorism and development on the Treaty on Mutual Legal Assistance in Criminal Matters that could serve as important legal instruments to combat transnational crime and terrorism in the region. The Ministers further took note of the work of ASLOM on the Model ASEAN Extradition Treaty, in strengthening mutual judicial assistance in civil and commercial matters among ASEAN Member States, including work towards a Treaty on the Abolishment of the requirement for Legalisation of Foreign Public Documents among ASEAN Member States, examining modalities for harmonization of ASEAN trade laws, the progressive liberalization of trade in legal services in ASEAN, and proposals for a model law on maritime security, uniform laws on legalization of documents and an ASEAN agreement on the conservation of coastal and marine environment.

5. The Ministers also observed that with the entry into force of the ASEAN Charter, every effort is being made to transform ASEAN into a rules-based organization with appropriate legal and institutional frameworks/mechanisms in order to effectively support and facilitate the realization of the ASEAN objective of building an ASEAN Community by 2015. In this regard, the Ministers shared the view that these attempts will require more support and involvement of ASLOM and ALAWMM. The Ministers expressed readiness to coordinate and work closely with other ASEAN Ministerial Sectoral Bodies to implement cooperation programmes and activities, aimed at realizing ASEAN goals and purposes as enshrined in the ASEAN Charter and the Roadmap for an ASEAN Community adopted by the ASEAN Leaders.
6. The Ministers took note of a proposed study on the possible establishment of an ASEAN common visa for non-ASEAN nationals, which was being considered by all relevant ASEAN Ministerial Sectoral Bodies. The Ministers agreed to ASLOM's participation in a joint working group, if established by the ASEAN Senior Officials Meeting, to prepare comprehensive study on ASEAN Common Visa.
7. The Ministers reviewed the work of ASLOM and endorsed the Reports of the 13th ASLOM held on 28-29 April 2010, in Bali, Indonesia and the 14th ASLOM held on 1-2 November 2011 in Phnom Penh, Cambodia.
8. The Ministers endorsed the Terms of Reference and the Rules of Procedure of the Advisory Panel to advise ASEAN Member States on matters relating to the adoption and implementation of the UNCITRAL Model Law on International Commercial Arbitration.
9. The Ministers thanked Lao PDR for offering to host the 15th ASLOM in 2013 and Indonesia for offering to host the 16th ASLOM and the 9th ALAWMM in 2014.