

ASEAN Declaration on Transnational Crime

Manila, Philippines, 20 December 1997

WE, the ASEAN Ministers of Interior/Home Affairs and Representatives of ASEAN Member Countries, participating in the first ASEAN Conference on Transnational Crime held in Manila on 18-20 December 1997;

CONCERNED about the pernicious effects of transnational crime, such as terrorism, illicit drug trafficking, arms smuggling, money laundering, traffic in persons and piracy on regional stability and development, the maintenance of the rule of law and the welfare of the region's peoples;

RECOGNIZING the need for clear and effective regional modalities to combat these forms of crimes, especially on the aspect of information exchange and policy coordination;

RECALLING the Naples Political Declaration and Global Plan of Action of 23 November 1994, which sought international solidarity and effective legal cooperation against these forms of crime;

RECALLING FURTHER the Baguio Communique adopted during the first International Conference on Terrorism held in Baguio City, Philippines, on 18-21 February 1996, which endeavoured to enhance international cooperation against all forms of terrorism through such modalities as intelligence-sharing, coordinated policies and law enforcement training;

NOTING the decision of the 29th ASEAN Ministerial Meeting (AMM) in Jakarta in July 1996 on the need to focus attention on such issues as narcotics, economic crimes, including money laundering, environment and illegal migration which transcend borders and affect the lives of the people in the region, and the urgent need to manage such transnational issues so that they would not affect the long term viability of ASEAN and its individual member nations;

ENDEAVOURING to further the decision of the First Informal ASEAN Summit in November 1996 in Jakarta to request the relevant ASEAN bodies to study the possibility of regional cooperation on criminal matters, including extradition;

PURSUANT to the decision of the 30th AMM in Kuala Lumpur in July 1997 which stressed the need for sustained cooperation in addressing transnational concerns including the fight against terrorism, trafficking in people, illicit drugs and arms and piracy;

AFFIRMING the agreement among Heads of Government during the Second Informal Summit in December 1997 in Kuala Lumpur to take firm and stern measures to combat transnational crime such as drug trafficking and trafficking of women and children, as well as other transnational crime; and,

CONVINCED that the continuity of existing global framework against transnational crime rests on consolidated regional action in the institutional and operational spheres:

HAVE RESOLVED TO CONFRONT THE PROBLEM OF TRANSNATIONAL CRIME THROUGH THE FOLLOWING MEASURES:

1. **Strengthen** the commitment of Member Countries to cooperate at the regional level in combating the transnational crime;

2. **Convene** at least once every two years ASEAN Ministerial Meeting on Transnational Crime in order to coordinate activities of relevant ASEAN bodies, such as the ASEAN Senior Officials on Drug Matters (ASOD) and the ASEAN Chiefs of National Police (ASEANAPOL);
3. **Hold** discussions with a view to signing mutual legal assistance agreements, bilateral treaties, memorandum of understanding or other arrangements among Member Countries;
4. **Consider** the establishment of an ASEAN Centre on Transnational Crime (ACOT) which will coordinate regional efforts against transnational crime through intelligence sharing, harmonisation of policies and coordination of operations;
5. **Convene** a high-level ad-hoc Experts Group within one year to accomplish the following with the assistance of the ASEAN Secretariat:
 - a. ASEAN Plan of Action on Transnational Crime,
 - b. Institutional Framework for ASEAN Cooperation on Transnational Crime, and,
 - c. Feasibility study on the establishment of ACOT;
6. **Encourage** Member Countries to consider assigning Police Attaches and/or Police Liaison Officers in each other's capital in order to facilitate cooperation for tackling transnational crime;
7. **Encourage** networking of the relevant national agencies or organizations in Member Countries dealing with transnational crime to further enhance information exchange and dissemination;
8. **Expand** the scope of Member Countries' efforts against transnational crime such as terrorism, illicit drug trafficking, arms smuggling, money laundering, traffic in persons and piracy, and to request the ASEAN Secretary-General to include these areas in the work programme of the ASEAN Secretariat;
9. **Explore ways** by which the Member Countries can work closer with relevant agencies and organizations in Dialogue Partner countries, other countries and international organizations, including the United Nations and its specialised agencies, Colombo Plan Bureau, Interpol and such other agencies, to combat transnational crime;
10. **Cooperate and coordinate more closely** with other ASEAN bodies such as the ASEAN Law Ministers and Attorneys-General, the ASEAN Chiefs of National Police, the ASEAN Finance Ministers, the Directors-General of Immigration and the Directors-General of Customs in the investigations, prosecution and rehabilitation of perpetrators of such crimes; and,
11. **Strengthen** the ASEAN Secretariat's capacity to assist the Member Countries in initiating, planning, and coordinating activities, strategies, programmes and projects to combat transnational crime.

SIGNED this 20th day of December 1997 in Manila, Philippines.

Dato Paduka Haji Abidin bin Orang Kaya Periwara Abd. Rashid

Acting Minister of Home Affairs

Brunei Darussalam

Yogie S. Memet

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