

ANNEX C

ASEAN REGIONAL FORUM (ARF) STATEMENT ON COOPERATIVE COUNTER-TERRORIST ACTION ON BORDER SECURITY

The Chairman of the ASEAN Regional Forum, on behalf of the *ARF* participating states and organization, issues the following statement:

Recognizing that:

Terrorism constitutes a grave threat to stability, peace and security in the Asia-Pacific and beyond. It has links with transnational organized crime, such as money laundering, arms smuggling, people smuggling, and the production of and trafficking in illicit drugs. It is also associated with the illegal movement of nuclear, chemical, biological, and other deadly materials. Because terrorism has multiple dimensions, manifestations and causes and respects no national boundaries, it is a complex phenomenon that requires a comprehensive approach and unprecedented international cooperation. More than ever, it is important to ensure the secure flow of goods and people, to create and reinforce sound border infrastructures, and to coordinate information sharing and enforcement.

The fight against terrorism requires a comprehensive approach and unprecedented international cooperation.

In this regard, we recall the Statement by the ARF Chairman dated 4 October 2001, which stated "The threat of international terrorism to international peace and security requires concerted action to protect and defend all peoples and the peace and security of the world. It is important that

the underlying causes of this phenomenon be addressed to resolve the scourge of international terrorism."

Critical to such an approach and to effective international cooperation are the control of states over their borders and the denial of cross-border movement to terrorists and that of their goods, funds and material.

It is imperative therefore that borders should not be thought of only in terms of land frontiers between nations. Airports and seaports are also border crossing points so that air transport and maritime transport need to figure in the overall concept of border security.

If one is not simply to encourage the threat to move from one mode of transport to another then progress needs to be made in parallel across the entire spectrum of modes of border-crossing transport.

We stress the leading role of the UN in the fight against terrorism and call upon ARF participants to become parties as soon as possible to the international conventions and protocols relating to terrorism fully implement the relevant UN Security Council Resolutions, including Resolution 1373, and remain fully committed to supporting the work of the UN Counter Terrorism Committee and other pertinent UN bodies. Acknowledging that terrorism and its linkage with transnational organized crime form part of a complex set of new security challenges, we stress the necessity to address them urgently in all aspects and in all fora, including the ASEAN Regional Forum.

We reject any attempt to associate terrorism with any religion, ethnicity, race or nationality, and stress that in the aftermath of the terrorist attacks of September 11, 2001 and in other parts of the world, the need to also strengthen dialogue and

promote mutual understanding between cultures and civilizations is greater than ever before.

We acknowledge that terrorism, including its links with trans-national organized crime such as money laundering, arms-trafficking and the production of and trafficking in illicit drugs, people smuggling, as well as illegal movements of nuclear, chemical, biological and other potentially deadly materials, forms part of a complex set of new security challenges, which have to be addressed urgently in all aspects and in all fora, including the ASEAN Regional Forum.

In this regard, we welcomed the recent establishment of the Southeast Asia Regional Centre for Counter-Terrorism in Kuala Lumpur, Malaysia.

The challenge for ARF participating states is to implement effective border security and documentation practices while facilitating the cost-effective and efficient flow of people and goods for legitimate economic and social purposes and without undermining the principles and policies that promote our common security, and well being. The ARF has already joined other multilateral fora in taking substantive steps to enhance information sharing.

The ARF notes the significant progress that has been made by ARF participants in addressing counter-terrorism aspects of border security and encourages ARF governments to further enhance their efforts and commitment to combat terrorism in a more comprehensive manner on a voluntary basis and taking into account resources and capacity of ARF participants, in particular their efforts:

- to strengthen the capability of law enforcement and intelligence agencies;
- to ensure that border security forces are carefully screened, receiving good initial and ongoing training and

motivated both by a desire to protect the community and by an adequate wage structure.

- to strengthen cooperation in sharing of intelligence in order to effectively deal with terrorism and transnational crimes such as illicit arms trafficking, drug trafficking and human and cargo smuggling.
- to strengthen cooperation in, and the legal framework for, where possible, prosecuting and extraditing terrorists, and to ensure that terrorist acts are established as serious criminal offences in domestic laws and regulations and that the punishment duly reflects the seriousness of terrorist acts;
- to cooperate, particularly through bilateral and multilateral arrangements and agreements, to prevent and suppress terrorist attacks and take action against perpetrators of such acts;
- to ensure that the free flow of people and goods across borders is secure and not subject to exploitation by terrorists, drug traffickers, arms smugglers, people smugglers and other criminals.

The challenge for ARF and its participants is to implement border security and documentation practices that confront the terrorist threat without undermining these basic principles that promote our common security, including respect for human rights and the rule of law.

In this light, ARF participating states undertake to carry out the following cooperative actions for strengthening border security:

Movement of People

- Support the expeditious implementation of a common global standard based on UN EDIFACT for the collection and

transmission of advance passenger information (API) where possible.

- Support international efforts to achieve agreement on minimum standards for the issuance of travel and identity documents.

- Support efforts to develop means for sharing data on individuals of terrorist and trans-national criminal concern in accordance with laws and regulations of each country, for the purpose of incorporating that data into national and/or regional alert systems.

Movement of Goods

- Support work, in cooperation with relevant international organizations, to develop and implement an improved container-security regime for identifying and examining high-risk containers and ensure their in-transit integrity, bearing mind that some countries would encounter problems of high financial costs and the difficulty in acquiring the appropriate technology.

- Take note with interest of support work within the World Customs Organization and other relevant international organizations to implement common standards for electronic customs reporting by 2005, wherever possible, and require advance electronic information pertaining to containers, including their location and transit, to the extent feasible and as early as possible in the trade chain, with due regard to the difficulty in acquiring the appropriate technology for this purpose.

- Encourage major trading nations and relevant international organizations to extend effective assistance to ARF participating states in their efforts to improve the security and facilitation of the international trade chain.

- Support the development, in the United Nations and other relevant international organizations, of an effective and proportionate security regime for the inter-state overland transport and distribution of hazardous cargoes that present significant security risks.
- Support relevant provisions of the document "Cooperative G8 Action on Transport Security" adopted in Cananascis on 26 June, 2002.

Document Security

- Support international work in the International Civil Aviation Organization (ICAO) towards developing minimum standards for the application of biometrics in procedures and documents, with due regard to the difficulty of some countries in bearing the cost and acquiring the appropriate technology for this purpose.
- Improve procedures and practices for sharing data on lost or stolen passports and denied entries.

General Measures

- Encourage multilateral cooperation on border security among ARF members to combat terrorism.
- Encourage ARF consideration and adoption of new measures for border security proposed by the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO), the World Customs Organization (WCO) and other relevant international organizations.
- Provide, where necessary and possible, technical assistance and capacity-building infrastructure to states that need help in

developing laws, training, and or in acquiring the equipment to enhance border security.

- Enhance ARF participants' efforts to share information useful on terrorism and trans-national organized crimes such as illegal arms trafficking, drug trafficking, people smuggling, and money laundering, where feasible domestically and internationally as a vital component in the fight against terrorism.

- ARF participating states are to review the process of these and other efforts to strengthen border security at the 11th ARF Ministerial Meeting in 2004.
