

THIRD ASEAN REGIONAL FORUM (ARF)  
INTER-SESSIONAL MEETING ON  
COUNTER-TERRORISM AND  
TRANSNATIONAL CRIME  
(3<sup>rd</sup> ISM on CT/TC)

6-8 April 2005, Bangkok, Thailand

*Co-Chairs' Summary Report of the  
Third ASEAN Regional Forum Inter-Sessional Meeting on  
Counter-Terrorism and Transnational Crime  
6-8 April 2005, Bangkok*

1. As agreed by the Ministers at the 11<sup>th</sup> ASEAN Regional Forum (ARF) in Jakarta on 2 July 2004, the Third ARF Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime (ARF ISM on CT/TC) was held in Bangkok, Thailand, on 6-8 April 2005. The Meeting was organized by Thailand and Canada and co-chaired by Mr. Kitti Wasinondh, Director-General of the Department of ASEAN Affairs, Ministry of Foreign Affairs of Thailand, and Ms. Ruth Archibald, Senior Coordinator for International Crime and Terrorism, Foreign Affairs Canada.

2. The Meeting was attended by representatives of Australia, Brunei Darussalam, Cambodia, Canada, China, European Union, India, Indonesia, Japan, Republic of Korea, Laos, Malaysia, Mongolia, Myanmar, New Zealand, Pakistan, Papua New Guinea, the Philippines, Russian Federation, Singapore, Thailand, United States and Vietnam. The ASEAN Secretariat, the International Law Enforcement Academy (ILEA) and the Southeast Asia Regional Centre for Counter-Terrorism (SEARCCT) also participated in the Meeting. The List of Delegates appears as Annex A.

3. The Agenda, Concept Paper and Programme of Activities appear as Annexes B, C and D.

4. The Meeting took note of the Welcoming Remarks of H.E. Mr. Thakur Phanit, Deputy Permanent Secretary, Ministry of Foreign Affairs of Thailand, which appears as Annex E. The Opening Remarks of the Thai and the Canadian Co-Chairs appear as Annexes F and G respectively.

5. The List of Speakers at the Meeting appears as Annex H.

Agenda Item 1            Overview of the Challenges of Information/Intelligence Sharing  
and Document Integrity and Security

6. Presentations were made by China, the Republic of Korea, the Russian Federation and SEARCCT. Participants agreed on the importance of further enhanced international cooperation in responding to terrorism and transnational crime on the basis of existing bilateral, regional and multilateral agreements and institutions including, *inter alia*, the United Nations, its Specialized Agencies and INTERPOL. Participants noted the importance of political will, national sovereignty, the rule of law and respect for human rights in these efforts.

7. Copies of these presentations appear in Annexes I, J, K and L.

Agenda Item 2            Information Sharing Policies and Practices

8. Presentations were made by Cambodia, Canada, India, Indonesia, Japan, Laos and Viet Nam. Participants agreed on the need to balance timely, effective and systematic sharing of information and exchange of intelligence with appropriate protections for sources of information, particularly when provided by another partner, and privacy and human rights. They further agreed that national legislation, regulations and requirements must be respected and better understood as the basis for effective international sharing of information and exchange of intelligence.

9. Copies of these presentations appear in **Annexes M, N, O, P, Q, R and S.**

10. In the Breakout Session that followed, presentations were made by Australia and the Philippines. Participants recognized the importance of more timely, effective and systematic information sharing and intelligence exchange as a fundamental basis for cooperation to combat terrorism and transnational crime. They agreed on the need to expand bilateral cooperation among all ARF participating states on information sharing and intelligence exchange as a step towards a multilateral arrangement in the future.

11. Participants recognized the importance of the third-party rule agreed upon at the ASEAN+3 Workshop on Collaboration in Information and Intelligence to Effectively Combat Transnational Crime and agreed to use appropriate caveats in this respect. The participants agreed that the type of intelligence that could be shared among the ARF participating countries should at the preliminary stage begin with strategic intelligence and subsequently include tactical intelligence. The participants noted that the sharing of strategic intelligence is easier than the sharing of tactical intelligence but it should also be based on bilateral arrangement in light of sensitivities. The participants underlined that in the use and sharing of information, there is a need to respect national laws of respective countries.

12. Copies of these presentations appear in **Annexes T and U.**

13. Participants agreed on the following recommendations:

- To establish a list of national points of contact for information exchange as a means to supplement existing bilateral arrangements among the ARF participating countries;
- To consider collaboration among law enforcement agencies for the purpose of prosecution a priority for multilateral cooperation and to encourage the ARF participating states to share best practices on this issue. The use of information and intelligence for prosecution must be in accordance with domestic laws of respective ARF participants;
- To strengthen cooperation on capacity building through training and, where feasible, technology transfer, in order to reduce the gap between developed and developing countries. It was also agreed that capacity building should include training on, *inter alia*, cognitive skills, threat recognition and operational capabilities.

### Agenda Item 3            Combatting Document Fraud

14. Presentations were made by Malaysia, Singapore, the United States, Australia, Canada and the Russian Federation. Participants agreed on the importance of document integrity and security in combating terrorism and transnational crime, and the importance of international standards such as ICAO 9303 and participation in the INTERPOL database of lost and stolen travel documents. Some participants shared their experiences on the measures undertaken to enhance document integrity and security through the use of technology. Some participants stated that they were on track to implement biometric passports.

15. Copies of these presentations appear in Annexes V, **W**, X, Y, Z and AA.

16. In the Breakout Session that followed, presentations were made by the Republic of Korea, Viet Nam and Thailand.

17. Copies of these presentations appear in Annexes BB, CC and DD.

18. The participants, taking into account their resources and capacity and in accordance with their respective national laws, committed to:

- Work towards implementation of ICAO document standards;
- Designate points of contact for the purposes of exchanging information on documents, including supporting documents, and document fraud;
- Enhance capacity building through training, sharing of best practices, technological resources, and in this regard, agree to submit information about document fraud and other related training programmes, facilities and needs, including relevant regional centres, to the ARF Unit of the ASEAN Secretariat for compilation;
- Broaden the accessibility to the INTERPOL I 24/7 communications system and databases, including the lost and stolen passport database, amongst relevant national agencies.

### Agenda Item 4            Police and Law Enforcement Cooperation

19. Presentations were made by India, Thailand, and ILEA. Participants noted the value of international police and law enforcement cooperation in preventing, disrupting and investigating terrorist acts and other transnational crimes. Participants noted that it was vital to promote and strengthen international cooperation in **such** areas as mutual legal assistance and extradition regime. It was also emphasized that improvement and strengthening of legal tools and mechanisms, including timely information sharing and intelligence exchange are essential in the fight against terrorism and transnational crime.

20. Copies of these presentations of India and Thailand appear in Annexes EE, FF and GG.

21. In the Breakout Session that followed, presentations were made by Australia, Japan, the Republic of Korea, Pakistan and the Russian Federation.
22. A copy of the presentation of Japan appears in Annex HH.
23. Participants recommended the following:
  - To strengthen ARF law enforcement cooperation on the basis of bilateral and multilateral agreements and through use of existing mechanisms in particular INTERPOL and its I 24/7 communications network for the exchange of information;
  - To develop a directory of ARF law enforcement points of contact;
  - To provide law enforcement assistance to counter terrorism, including in response to terrorist attacks, and other transnational crime on the basis of UN Directory of Counter-Terrorism Information and Sources of Assistance;
  - To further enhance capacity building cooperation and assistance and sharing of best practices and to utilize existing regional centres including, *inter alia*, ILEA, JCLEC and SEARCCT for that purpose;
  - To further strengthen cooperative efforts to combat drug trafficking and the illicit profits therefrom, that can be used to finance terrorism and other transnational crimes;
  - To encourage participants to enter into mutual legal assistance and other cooperative arrangements and to simplify and streamline formal mechanisms for cooperation in areas such as extradition to the degree possible.

Agenda Item 5            Other Matters

24. The draft ARF Statement on Information Sharing and Intelligence Exchange and Document Integrity and Security appears in Annex II. The participants agreed to submit their comments to Thailand and Canada, through diplomatic channels, by the end of April to allow for the consolidation of comments in time for the ARF Senior Officials' Meeting in Vientiane in May.
25. The participants **welcomed** the offer of Brunei Darussalam and China to co-host the next Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime in 2006.
26. Thailand and Canada jointly presented the Co-Chairs' Summary Report of the Third ARF Inter-Sessional Meeting on Counter-Terrorism and Transnational Crime.
27. The participants expressed their appreciation to the Government of Thailand for the arrangements made for the meeting and for the warm hospitality accorded to the delegates.