

ANNEX C

ASEAN REGIONAL FORUM (ARF) STATEMENT ON STRENGTHENING TRANSPORT SECURITY AGAINST INTERNATIONAL TERRORISM

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

Strongly condemning all terrorist acts regardless of objectives or motivations;

Drawing attention to the significant threat to transportation posed by terrorist organizations and criminal groups and their growing coalescence, including those involved in piracy and smuggling;

Recognizing that despite the increased anti-terrorist efforts of the international community terrorism remains a direct threat to international peace, security and stability, and economic prosperity, including in the Asia-Pacific region;

Stressing that the complex, multi-dimensional and global nature of terrorism requires active and concerted actions by the international community, and a comprehensive approach - combining political, diplomatic, economic, legislative, law enforcement and other means - to address its manifestations and its causes;

Recognizing the need to enhance international, regional and sub-regional cooperation to promote counter-terrorist capacity by sovereign states;

Stressing the need for all states to create an environment where terrorism in all its manifestations is resolutely and totally rejected and to establish the necessary legislation and other means to ensure that terrorist offenses are effectively investigated and prosecuted;

Ensuring that all measures to combat terrorism are taken in accordance with the Charter of the United Nations and other applicable norms and principles of international, humanitarian and human rights law;

Reaffirming and strengthening the central role of the United Nations, in combating terrorism and shaping a joint and efficient system to address global threats and challenges;

Remaining strongly committed to the implementation of UN conventions and protocols relating to terrorism and fully supporting the work of the Counter-Terrorism Committee of the UN Security Council and other relevant UN agencies;

Recognizing that further efforts aimed at facilitating the earliest possible conclusion of the draft UN Comprehensive Convention Against International Terrorism and the draft UN International Convention on the Suppression of Acts of Nuclear Terrorism would be a significant contribution in that regard;

Acknowledging the need to respect independence, sovereign equality and territorial integrity of states, the principles of non-interference in the internal affairs of states and non-use of force or threat of force;

Rejecting any attempts to associate terrorism with any religion, nationality, race or culture;

Noting the vital importance of the safe and efficient operation of transport systems for their proper functioning and successful development of the global, regional, and national economies;

Recognizing the significance of international cooperation stipulated in the United Nations Convention on the Law of the Sea (UNCLOS) and other relevant international maritime regime in enhancing maritime transportation safety and security as an important contribution to international, regional and national efforts to combat terrorism and transnational crime;

Noting the Bali Regional Ministerial Meeting on Counter-terrorism which established two Ad Hoc Working Groups to enhance regional law enforcement cooperation and legal frameworks;

Recalling the ARF Statements on Measures Against Terrorist Financing of 30 July 2002, on Cooperation Against Piracy and Other Threats to Maritime Security of 17 June 2003, as well as the ARF Statement on Cooperative Counter-terrorist Action on Border Security of 18 June 2003 which stresses, in

particular, that progress needs to be made in fighting terrorism across the entire spectrum of modes of border-crossing transport;

Observing the progress achieved by the Forum participants in combating terrorism in transport;

Taking note of the "Cooperative G8 Action on Transport Security" adopted by G8 in Kananaskis on 27 June 2002 as well as the "Enhanced Transport Security and Control of Man-Portable Air Defense Systems (MANPADS)" Action Plan adopted by G8 in Evian on 3 June 2003 and the concerns about the threat posed to commercial and general aviation by MANPADS;

ARF participating states and organization will endeavor to:

1. Enhance wherever possible their efforts and cooperation in fighting terrorism in all modes of transport -- on the road, by rail, at sea, in the air, and by pipelines -- in accordance with their domestic legislation, international obligations, and this Statement. In this regard, ARF participating states and organization will endeavor to jointly explore new practical measures and initiatives to combat terrorism in the transport sector.

2. Strengthen the legal cooperation framework to counter terrorism in all modes of transport by accession to relevant global anti-terrorist conventions and protocols and the conclusion of appropriate bilateral and multilateral treaties, agreements, and conventions. The ARF participating states and organization will continue, *inter alia*, their efforts to cooperate on criminal prosecution and extradition of persons suspected of perpetrating terrorist acts.

3. Fully and effectively implement their obligations under the International Maritime Organization (IMO) International Ship and Port Security (ISPS) Code by the agreed date of 1 July 2004.

4. Strengthen cooperation in the exchange of information, particularly on terrorist activities -- planned or being committed -- and persons and entities/organizations/groups involved, as well as appropriately and effectively

share information for the prosecution process of perpetrators of terrorist acts, while protecting the confidentiality of individual information, in accordance with domestic laws.

5. Strengthen practical cooperation between law-enforcement bodies, and relevant security and intelligence services, as well as state transportation agencies and organizations in counteracting terrorism in transport.

6. Explore possible ways of improving interoperable methods of identification of members of international terrorist groups active in international transport routes. The ARF participating states and organization thus, express their intention for respective national authorities to cooperate in improving the security features of travel documents and visa systems, including through the consideration of standards and best practices established in other fora, thus facilitating the identification of individuals suspected to be involved in terrorist activities, while taking into account the need to avoid the violation of the rights of individuals.

7. Hold appropriate simulation and joint exercises, with a view to enhancing institutional capacity building of coastal states, especially with regard to piracy and maritime and aerial terrorism, to ensure effective modal coordination of maritime and aviation security and safety measures.

8. Consider opportunities to plan and implement, as appropriate, coordinated special operations and criminal investigations and set up under the most appropriate jurisdiction, joint operative teams to mitigate the effects of terrorist attacks on transport facilities and bring the perpetrators to justice.

9. Cooperate, consistent with existing relevant transportation regimes, in preventing transportation systems from being used by terrorists, either as a site to commit terrorist acts or for transporting personnel, arms, explosives and explosive devices, and weapons of mass destruction.

10. Promote cooperation between research institutions to examine terrorism against the transport network, carry out joint research, exchange expertise and recommend methodologies, technologies, and best practices for combating such threats through meetings, seminars and conferences or through

exchange of legislative and other legal regulations, and scientific research results.

11. Expand cooperation and enhance participation in international fora and international organizations, in particular, by adherence to the International Maritime Organization's (IMO's) International Ship and Port Security (ISPS) Code and relevant standards of the International Civil Aviation Organization (ICAO).

12. Assist in providing appropriate training and equipment to respective transport security services.

13. Continue to develop and harmonize measures aimed at enhancing necessary security regimes for container shipping, while taking into account national legal systems and the need to avoid unnecessary increase in costs and disruption to trade.

14. Jointly examine and consider means to counter suicide terrorist attacks against transportation and transport facilities.

15. Continue to develop concerted efforts to fight piracy and other border crimes such as smuggling of illicit containers, under the aegis of IMO and respective national and regional frameworks, in particular, those relating to enhanced export control measures.

16. Develop and share best practices in the formulation of an inter-modal transport security framework that would link air, rail, road, inland waterway and maritime transport, believing that such a framework will provide a coherent, cost-effective, and rational approach to cargo transport security.

17. Encourage constructive interaction between the ARF and other regional and international organizations/fora in this area with counter-terrorism mandates.

18. Cooperate to ensure that terrorists are prevented from using information technology and its applications to disrupt and sabotage the operation of transportation systems.

19. Annually review the progress of these and other efforts to combat terrorism in transport at the following ARF Ministerial Meetings.
