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**REPORT OF  
THE TENTH ASEAN MINISTERIAL MEETING ON TRANSNATIONAL CRIME  
(10<sup>TH</sup> AMMTC)**

**29 September 2015, Kuala Lumpur, Malaysia**

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**INTRODUCTION**

1. The Tenth ASEAN Ministerial Meeting on Transnational Crime (10<sup>th</sup> AMMTC) was held on 29 September 2015 in Kuala Lumpur, Malaysia.
2. The Meeting was chaired by Hon. Dato' Seri Dr. Ahmad Zahid Hamidi, Deputy Prime Minister and Minister of Home Affairs of Malaysia and was attended by H.E. Pehin Dato' (Dr.) Muhammad Yasmin Umar, Minister of Energy at the Prime Minister's Office of Brunei Darussalam; H.E. Mr. Em Sam An, Secretary of State of the Ministry of Interior of the Kingdom of Cambodia; H.E. Police General Badrodin Haiti, Chief of the Indonesian National Police of the Republic of Indonesia; H.E. Brigadier General Somkeo Sylavong, Minister of Public Security of the Lao People's Democratic Republic; H.E. Brigadier General Kyaw Kyaw Tun, Deputy Minister of Home Affairs of the Republic of the Union of Myanmar; H.E. Peter Irving C. Corvera, Undersecretary of the Department of the Interior and Local Government of the Republic of the Philippines; H.E. Mr. Masagos Zulkifli Bin Masagos Mohamad, Second Minister for Home Affairs and Foreign Affairs of the Republic of Singapore; H.E. Mr. Sutee Markboon, Deputy Minister of Interior of the Kingdom of Thailand; H.E. Prof. Dr. Police General Tran Dai Quang, Minister of Public Security of the Socialist Republic of Viet Nam; H.E. Mr. Hirubalan V P, Deputy Secretary-General for ASEAN Political-Security Community; and their respective delegations. The List of Delegates appears as **ANNEX 1**.

**AGENDA ITEM 1: REPORT OF THE OUTGOING CHAIRMAN OF THE 9<sup>TH</sup> AMMTC**

3. The Meeting noted the Report from the outgoing Chairman of the 9<sup>th</sup> AMMTC, H.E. Police Brig. Gen. Somkeo Sylavong. He expressed appreciation to all ASEAN Member States for their support during Lao PDR's chairmanship. He highlighted that the Meeting signified ASEAN Member States' strong commitment in fighting transnational crime, as also reflected in the ASEAN Political-Security Community (APSC) Blueprint. Activities that had been convened under Laos PDR's chairmanship, including the Emergency ASEAN Ministerial Meeting on Transnational Crime (EAMMTC) Concerning the Irregular Movement of Persons in the Southeast Asia Region in July 2015 were also highlighted.

**AGENDA ITEM 2: HAND-OVER OF CHAIRMANSHIP**

4. H.E. Police Brig. Gen. Somkeo Sylavong handed over the chairmanship of the AMMTC to Hon. Dato' Seri Dr Ahmad Zahid Hamidi.

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**AGENDA ITEM 3: WELCOME REMARKS BY THE 10<sup>TH</sup> AMMTC CHAIRMAN**

5. Hon. Dato' Seri Dr Ahmad Zahid Hamidi welcomed all delegates to the Meeting. He expressed congratulations to Lao PDR for the able chairmanship of the 9<sup>th</sup> AMMTC.

**AGENDA ITEM 4: ADOPTION OF AGENDA**

6. The Meeting adopted the Agenda, which appears as ANNEX 2.

**AGENDA ITEM 5: REPORT OF RECENT DEVELOPMENTS IN ASEAN BY THE SECRETARY-GENERAL OF ASEAN**

7. The Meeting noted the presentation of the report of recent developments in ASEAN by H.E. Mr. Hirubalan V P. The text of the report appears as ANNEX 3.

**AGENDA ITEM 6: REPORT OF THE OUTCOME OF RECENT MEETINGS UNDER THE PURVIEW OF AMMTC/SOMTC**

**6.1 15<sup>th</sup> Senior Officials Meeting on Transnational Crime (SOMTC)**

8. H.E. Mr. Sieng Lapresse, Government Advisor, Ministry of Interior of the Kingdom of Cambodia briefed the Meeting on the outcomes of the 15<sup>th</sup> Senior Officials Meeting on Transnational Crime (SOMTC) Plenary Session and Retreat held on 9-10 June 2015 in Siem Reap, Cambodia. The adopted Summary Record of the Meeting appears as ANNEX 4.

**6.2 36<sup>th</sup> ASEAN Senior Officials on Drug Matters (ASOD) and Its Related Meetings**

9. The Meeting noted the report on the 36<sup>th</sup> ASEAN Senior Officials on Drug Matters (ASOD) and Related Meetings held in Singapore, 24-26 August 2015. Mr. Winston Wong Sung-En, Deputy Director of the Central Narcotics Bureau of the Republic of Singapore reported to the AMMTC that the 36<sup>th</sup> ASOD consisted of Plenary and Working Group sessions as well as coordination meetings with ASEAN Dialogue Partners, i.e. China, Japan and the Republic of Korea. There was also an Open Session during which relevant international organisations such as the United Nations Office on Drugs and Crime (UNODC), the United States Drug Enforcement Agency (DEA), the Australian Federal Police (AFP) and the Colombo Plan Drug Advisory Programme presented their views on the regional drug situation, their work in the region and also shared experiences and best practices.

10. Mr. Wong also highlighted the main outcomes of the 36<sup>th</sup> ASOD, as follows:  
a. The Meeting agreed to propose that the recently institutionalised Ministerial Meeting be called the "ASEAN Ministerial Meeting on Drug Matters" with the acronym "AMMD". This recommendation will now go to

**DRAFT**

- the forthcoming ASEAN Ministerial Meeting on Drug Matters (4th AMMD) to be held in October 2015 in Langkawi, Malaysia;
- b. In principle, the Meeting agreed with the draft ASEAN position statement, which will be submitted to the 4<sup>th</sup> AMMD, and upon its endorsement to be read out at the UN General Assembly Special Session in April 2016 as an ASEAN Common Position on drug matters. This statement reiterates ASEAN's aspirations and zero-tolerance stance against drugs;
  - c. ASOD is agreeable to SOMTC's suggestion to take over all aspects of drug matters and have a complete oversight of ASEAN's efforts in combating illicit trafficking, including policy and law enforcement matters;
  - d. On the establishment of the new ASEAN-China Cooperative Operations in Response to Dangerous Drugs (ACCORD) mechanism, the ASEAN Secretariat was tasked to prepare a matrix and compile all the inputs from the ASEAN Member States on the draft Terms of Reference (TOR);
  - e. The 2<sup>nd</sup> ASOD-China Coordination Meeting, 3<sup>rd</sup> ASOD-Japan Coordination Meeting, and 4<sup>th</sup> ASOD-ROK Coordination Meeting were also convened in conjunction to the 36<sup>th</sup> ASOD. The Meeting discussed on-going and proposed project proposals; and
  - f. ASOD is currently developing a new Work Plan as the current one ends in 2015.

**6.3 19<sup>th</sup> Directors-General of Immigration Departments and Heads of Consular Affairs Divisions of Ministries of Foreign Affairs Meeting (DGICM) and Its Related Meetings**

11. The Meeting noted the following key outcomes of the 19<sup>th</sup> DGICM Meeting held on 9-10 September 2015 in Phnom Penh, Cambodia, which was chaired by H.E. Pol. Gen. Sok Phal, Director-General of General Department of Immigration, Ministry of Interior, Kingdom of Cambodia:

- a. Welcomed Indonesia's proposal to further strengthen immigration intelligence sharing through convening a forum for Heads of Major Immigration Checkpoints for all ASEAN Member States;
- b. Proposed for the establishment of an ASEAN Immigration Secretariat, which will serve as a permanent secretariat for DGICM to conduct necessary monitoring and follow-up on the implementation of DGICM's recommendations and activities as well as to further facilitate the discussion on the possibility of future engagement with Dialogue Partners and External Parties. The Meeting agreed that further discussions would be needed and requested ASEAN Member States to provide their comments to Cambodia's concept paper.
- c. Agreed for a Working Group to be convened to have in-depth discussions on the development of standard operating procedures (SOP) or guidelines for the provision of consular assistance by ASEAN missions in third countries to the nationals of ASEAN Member States. The Working Group is tentatively to be hosted by Brunei Darussalam;

**DRAFT**

- d. Welcomed Malaysia's offer to host a Joint Task Force Meeting to study and explore further the feasibility of developing the ASEAN Business Travel Card (ABTC);
- e. Noted Indonesia's request for ASEAN Member States to provide comments/inputs to the draft Terms of Reference (TOR) to establish an *ad hoc* Working Group on the ASEAN Common Visa to discuss this matter extensively; and
- f. Agreed to discuss the EAMMTC's recommendation for the DGICM to consider the possibility of establishing a Special Task Force / Heads of Specialist Units on people smuggling as part of the DGICM's post-2015 agenda.

**6.4 Report of the Outcomes of the Preparatory SOMTC for the 10<sup>th</sup> AMMTC**

12. The Meeting noted the report of the outcomes of the Preparatory SOMTC for the 10<sup>th</sup> AMMTC by H.E. Dato' Sri Alwi Bin Hj Ibrahim, Secretary-General, Ministry of Home Affairs of Malaysia and Chair of the Preparatory SOMTC for the 10<sup>th</sup> AMMTC, with the following salient points:

- a. Agreed to recommend to the Ministers to convene the AMMTC annually beginning 2017;
- b. Tasked the ASEAN Secretariat's to come up with a paper reflecting the criteria and modalities that can be considered when assessing future requests from Dialogue Partners;
- c. With regard to the Trust Fund for Humanitarian and Relief Efforts for the Victims of Irregular Movement of Persons, agreed as follows:
  - i. The SOMTC would be the overseeing body and the CPR would provide the approval for disbursement of funds;
  - ii. To incorporate a clause on governance of the Trust Fund and that there be annual report of the Trust Fund to the Ministers; and
  - iii. The ASEAN Secretariat would clean the draft and recirculate the document to SOMTC for final approval;
- d. Agreed continue to keep drug trafficking under its purview to have a broad picture of the whole transnational crime issue, while enhancing coordination with the ASEAN Ministerial Meeting on Drug Matters through cross briefings;
- e. Agreed to include the new areas of illicit trafficking of wildlife and timber, and people smuggling under the purview of the AMMTC/SOMTC; and
- f. Finalised outcome documents of the AMMTC and the AMMTC Consultations.

13. The Report of the Preparatory SOMTC for the 10<sup>th</sup> AMMTC appears as **ANNEX 5**.

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**AGENDA ITEM 7: BRIEFING ON THE OUTCOMES OF THE 3<sup>RD</sup> ASEAN MINISTERIAL MEETING ON DRUG MATTERS**

14. The Meeting noted the briefing by Ms Renata Siagian, Ministry of Foreign Affairs of the Republic of Indonesia on the outcomes of the 3<sup>rd</sup> ASEAN Ministerial Meeting on Drug Matters, which was held in Jakarta, Indonesia, 3-4 December 2014. She underlined the following points:

- a. Noted the contribution and progress in the implementation of the ASOD Work Plan and tasked ASOD to continue efforts to attain a healthy and secure ASEAN Community beyond 2015;
- b. Re-emphasized the need for implementing a new paradigm to manage the risk of drugs, with a new strategy and approach that attain the balance between the treatment and prevention approach with the law enforcement approach;
- c. Welcomed Malaysia's offer to hold the 4<sup>th</sup> Ministerial Meeting in Langkawi in 2015; and
- d. The 26<sup>th</sup> ASEAN Summit welcomed the institutionalisation of the ASEAN Ministerial Meeting on Drug Matters, which will provide political impetus for cooperation in drug matters and guidance to the senior officials.

15. The Report of the 3<sup>rd</sup> ASEAN Ministerial Meeting on Drug Matters appears as ANNEX 6.

**AGENDA ITEM 8: BRIEFING BY THE CHAIRMAN OF THE 35<sup>TH</sup> ASEANAPOL**

16. The Meeting noted the briefing by H.E. Police General Badrodin Haiti, Chief of the Indonesian National Police, Chairman of the 35<sup>th</sup> ASEANAPOL. Pol. Gen. Haiti shared with the Meeting that the 35<sup>th</sup> ASEANAPOL was attended by the Chiefs of Police of ASEAN Member States and Dialogue Partners. It was also noted that the Conference adopted 13 resolutions and elected the new Executive Director of the ASEANAPOL Secretariat.

**AGENDA ITEM 9: EXCHANGE OF VIEWS ON REGIONAL AND INTERNATIONAL EFFORTS IN COMBATING TRANSNATIONAL CRIME**

17. ASEAN Member States shared information on their on-going efforts in combating transnational crime, including at the regional and international levels.

18. The Statements of the Ministers/Heads of Delegation appear as ANNEXES 7-16.

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**AGENDA ITEM 10: AMMTC LEADERS' RETREAT**

**10.1 Discussion on the Frequency of the Convening of the AMMTC**

19. The Retreat discussed the frequency of the convening of the AMMTC, which is currently held biennially. The Meeting agreed that convening the AMMTC on an annual basis would be beneficial in responding to transnational crimes more promptly and effectively. The Retreat also agreed to convene a separate annual AMMTC Retreat Session for AMMTC Leaders to be able to discuss current issues in an informal manner. It is expected that such annual Retreat Sessions can generate new ideas and allow for more interactive and substantive discussions. Thailand has agreed to consider hosting the first AMMTC Retreat in 2016. The annual convening of the AMMTC would begin in 2017.

**10.2 Discussion on the Request by Dialogue Partners for AMMTC Consultation**

20. The Retreat discussed the issue of requests of Dialogue Partners to hold Consultations with the AMMTC that was prompted by the request from the United States to hold a Consultation at the 10<sup>th</sup> AMMTC. The ASEAN Secretariat briefed the Ministers on the ADMM model which holds Consultations in the Dialogue Partner countries. The Retreat considered this to be useful as it facilitated closer networking and opportunities for sharing of experiences and capacity-building and agreed that such Consultations could be held in the Dialogue Partner countries. The Retreat also tasked the ASEAN Secretariat to write a paper on the modalities of the selection of Dialogue Partners in holding Consultations.

**10.3 Consideration of the Proposal for the Establishment of the Trust Fund to Support Emergency Humanitarian and Relief Efforts for the Victims of the Irregular Movement of Persons**

21. The Retreat further discussed the proposal for the establishment of the Trust Fund to Support Emergency Humanitarian and Relief Efforts for the Victims of the Irregular Movement of Persons. The Chair thanked Singapore for pledging USD 200,000 to the Trust Fund. Brunei Darussalam and Malaysia pledged USD 200,000 and USD 250,000 respectively to the Trust Fund. The Retreat proposed that other ASEAN Member States consider contributing a minimum of USD 50,000 each and requested the Member States to consult their capitals. The Retreat also noted that the contribution would not be limited to ASEAN Member States, but also open to Dialogue Partners and other external parties. In addition, Singapore suggested that the Trust Fund should reach at least USD 1 million through contributions from the ASEAN Member States.

**10.4 Sharing of Purview between SOMTC and ASOD on Drug Trafficking Area**

22. The Chair informed the Retreat that the Preparatory SOMTC for the 10<sup>th</sup> AMMTC had proposed that AMMTC/SOMTC retain purview of illicit drug trafficking. The

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Retreat decided that as the crime of illicit drug trafficking is closely related to other forms of transnational crime, such as terrorism and international economic crimes, it is beneficial for AMMTC/SOMTC to retain purview over illicit drug trafficking, in order to have an overall view of transnational crime.

23. On a related note, Singapore reiterated the need for a united ASEAN stance of zero tolerance on drugs, taking into account that the United States and some European countries might push for greater tolerance for drug usage at the United Nations General Assembly Special Session on Drugs (UNGASS) on 8 April 2016, during which an ASEAN statement would be delivered by Singapore.

#### **10.5 Discussion and Review on the Areas under the AMMTC/SOMTC Purview**

24. The Retreat discussed and reviewed the transnational crime areas under the purview of AMMTC/SOMTC, and agreed to include the illicit trafficking of wildlife and timber, and people smuggling under its purview. The Voluntary Lead Shepherds for the new areas are Thailand and Malaysia respectively. On the proposal to expand the crime of sea piracy to non-traditional maritime security issues/crime, the Retreat noted that some issues such as illegal, unreported and unregulated (IUU) fishing was not under the purview of Singapore's Ministry of Home Affairs, and further internal discussion would be required. The Retreat agreed to further discuss this issue during the workshop/conference to look into this issue proposed by Malaysia in the Preparatory SOMTC for the 10<sup>th</sup> AMMTC.

#### **10.6 Other Matters**

25. The Retreat noted and endorsed the final text of the Memorandum of Understanding (MOU) between ASEAN and the Government of the People's Republic of China on Cooperation in the Field of Non-Traditional Security Issues 2015-2021. The next step would be for the MOU to be submitted to the Committee of Permanent Representatives (CPR) to obtain approval for the Secretary-General of ASEAN to sign the MOU on behalf of ASEAN Member States.

#### **AGENDA ITEM 11: ENDORSEMENT OF THE ASEAN CONVENTION AGAINST TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN (ACTIP)**

26. The Meeting endorsed the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) and agreed that it would be tabled for approval and signature at the 27<sup>th</sup> ASEAN Summit. The endorsed document appears as **ANNEX 17**.

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**AGENDA ITEM 12: ENDORSEMENT OF THE ASEAN PLAN OF ACTION AGAINST TRAFFICKING IN PERSONS, ESPECIALLY WOMEN AND CHILDREN (APA)**

27. The Meeting endorsed the ASEAN Plan of Action Against Trafficking in Persons, Especially Women and Children (APA). The endorsed document appears as ANNEX 18.

**AGENDA ITEM 13: ADOPTION OF THE KUALA LUMPUR DECLARATION IN COMBATING TRANSNATIONAL CRIME**

28. The Meeting adopted the Kuala Lumpur Declaration on Combating Transnational Crime which appears as ANNEX 19.

**AGENDA ITEM 14: ADOPTION OF THE KUALA LUMPUR DECLARATION ON IRREGULAR MOVEMENT OF PERSONS IN SOUTHEAST ASIA**

29. The Meeting adopted the Kuala Lumpur Declaration on Irregular Movement of Persons in Southeast Asia, which appears as ANNEX 19.

**AGENDA ITEM 15: OTHER MATTERS**

30. No other matters were raised.

**AGENDA ITEM 16: DATE AND VENUE OF THE 11<sup>TH</sup> AMMTC AND ITS RELATED MEETINGS**

31. The Meeting welcomed Myanmar's offer to host the 11<sup>th</sup> AMMTC and Its Related Meetings in 2017. The dates and venue of the Meetings would be communicated in due course.

**AGENDA ITEM 17: CONSIDERATION AND ADOPTION OF THE REPORT AND JOINT STATEMENT OF THE 10<sup>TH</sup> AMMTC**

32. The Meeting adopted the Joint Statement of the 10<sup>th</sup> AMMTC, which appears as ANNEX 20.

**AGENDA ITEM 18: CONSIDERATION AND ADOPTION OF THE REPORT AND JOINT STATEMENT OF THE 10<sup>TH</sup> AMMTC**

33. The Meeting agreed that the Report of the 10<sup>th</sup> AMMTC would be adopted *ad referendum*.

**AGENDA ITEM 18: CLOSING REMARKS**



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34. Hon. Dato' Seri Dr. Ahmad Zahid Hamidi thanked all Delegates for their active participation in the Meeting.

**ACKNOWLEDGMENTS**

35. The Ministers expressed their sincere gratitude to the Government and people of Malaysia for the warm hospitality accorded to them and excellent arrangements made for the Meeting.

36. The Meeting was held in the traditional ASEAN spirit of cordiality and solidarity.

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Ref. APSC/SCD/NTS/TC-AMMTC/2015/Vol.2/107

19 October 2015

Committee of Permanent Representatives  
(Please see distribution list attached)

Excellencies,

**Subject:** Request for Authorisation for the Secretary-General of ASEAN to Sign the Memorandum of Understanding between ASEAN and China on Cooperation in the Field of Non-Traditional Security Issues 2015-2021



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The Fourth ASEAN Plus China Ministerial Meeting on Transnational Crime (4<sup>th</sup> AMMTC + China) Consultation on 30 September 2015 in Kuala Lumpur, Malaysia, finalised the *"Memorandum of Understanding (MOU) between the Association of Southeast Asian Nations (ASEAN) and the Government of the People's Republic of China on Cooperation in the Field of Non-Traditional Security Issues 2015-2021"*, as attached.


This MOU replaces the previous MOU (2009-2014) which was signed by the Secretary-General of ASEAN and the Vice Minister of Public Security of the People's Republic of China on 18 November 2009. The 2015-2021 MOU takes into account current trends in non-traditional security issues as well as the dynamics of ASEAN-China cooperation in this area.

In line with approved procedure, we are requesting the Committee of Permanent Representatives' (CPR) authorisation for the Secretary-General of ASEAN to sign the new MOU on behalf of the ASEAN Member States.

We would appreciate receiving your response and/or approval by Monday, 9 November 2015. Upon receiving approval from all ASEAN Member States, we will coordinate with SOMTC and AMMTC on the date of signing and the ceremonial procedures if any.

Thank you.

Yours sincerely,

  
For Hirubalan V P  
Deputy Secretary-General  
for ASEAN Political-Security Community

cc: SOMTC Leaders

one vision  
one identity  
one community

*Finalised Text as of 30 September 2015*  
*4<sup>th</sup> AMMTC + China Consultation*

**Memorandum of Understanding**  
**between**  
**the Association of Southeast Asian Nations (ASEAN)**  
**and**  
**the Government of the People's Republic of China**  
**on Cooperation in the Field of Non-Traditional Security Issues**

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The Association of Southeast Asian Nations (ASEAN) and the Government of the People's Republic of China, (hereinafter referred to as the "Participants");

**DESIRING** to strengthen the friendly cooperation among the Participants;

**PURSUANT** to the Joint Declaration of China and ASEAN on Cooperation in the Field of Non-Traditional Security Issues adopted on 4 November 2002;

**CONSIDERING** the successful implementation of the Memorandum of Understanding between the Association of Southeast Asian Nations (ASEAN) and the Government of the People's Republic of China on Cooperation in the field of Non-Traditional Security Issues signed on 18 November 2009;

**DETERMINED** to enhance cooperation in the field of non-traditional security issues among the Participants including in support of the ASEAN Political Security Community Blueprint as they relate to non-traditional security issues;

**PURSUANT** to the prevailing laws and regulations of the respective Participants;

Have reached the following understanding:

**Paragraph 1**  
**Objectives**

The Participants will develop practical strategies in accordance with their respective laws and regulations to enhance the capacity at both national and

regional level in dealing with such non-traditional security issues under the purview of the ASEAN Senior Officials' Meeting on Transnational Crime (SOMTC) as terrorism, illicit drug trafficking, trafficking in persons, money laundering, sea piracy, arms smuggling, international economic crime, cybercrime and other non-traditional security issues as mutually agreed by the Participants.

## **Paragraph 2**

### **Areas of Cooperation**

The Participants have identified the following fields of common interest for cooperation:

#### **1. Information Exchange**

- a. The Participants will establish a compilation of their respective laws and regulations pertaining to such fields as mentioned in Paragraph 1;
- b. The Participants will establish a collection of international conventions pertaining to such fields as mentioned in Paragraph 1, to which they are parties, and compile bilateral agreements signed between Member States of ASEAN and China where appropriate;
- c. The Participants will, subject to their respective laws and policies, and based on the principle of reciprocity, exchange intelligence information on the non-traditional security issues referred to in Paragraph 1; and
- d. The Participants will, subject to their respective laws and policies, exchange information on special equipment and techniques applied in dealing with the non-traditional security issues referred to in Paragraph 1.

#### **2. Personnel Exchange and Training**

- a. The Participants will promote personnel contact and exchange among their law enforcement and other relevant officers and experts;
- b. China will organise workshops to promote the exchange of law enforcement experiences and best practices in dealing with the non-traditional security issues referred to in Paragraph 1.

- c. China will hold training courses to upgrade the level of capacity of each Participant and the region as a whole in drug control, forensic sciences, cyber investigation and evidence-gathering techniques, immigration administration, anti-money laundering and counter financing of terrorism, the investigation of financial crime and international economic crime. To ensure the quality of the training courses, China will invite regional and international experts to give lectures; and
- d. The Participants will promote exchange and cooperation among relevant institutions.

### 3. Law Enforcement Cooperation

- a. The Participants will encourage and offer each other the fullest law enforcement cooperation possible in accordance with their respective laws and policies, and on the basis of mutual respect for sovereignty, equality and mutual benefit; and
- b. The Participants will promote cooperation in accordance with their respective laws in fields such as evidence gathering, tracing of crime proceeds, asset recovery, apprehension and investigation of criminal fugitives and encourage each other to enter into bilateral legal arrangements therein.

### 5. Other activities, such as research, as agreed upon by the Participants.

## **Paragraph 3 Implementation**

- 1. The Participants designate the Ministry of Public Security for the Peoples' Republic of China and SOMTC for ASEAN with support and coordination by the ASEAN Secretariat to implement the Memorandum of Understanding.
- 2. The Participants will, with the support and assistance of the ASEAN Secretariat, ensure that timely and effective communication is established, and determine through consultation the details, schedule and arrangements for cooperation activities pursuant to this Memorandum of Understanding.

3. The Participants will hold meetings at working level once every year to exchange information on the implementation of this Memorandum of Understanding, to brief each other on the progress of cooperation under various mechanisms, and to discuss the plans for future cooperation.

#### **Paragraph 4** **Financial Arrangements**

1. Expenses of workshops, training courses and other activities organised by China in accordance with this Memorandum of Understanding will be covered by the Government of the People's Republic of China, including meals, accommodation and local transportation for the participants sent by ASEAN Member States during their stay in China and fees for inviting experts, while the expenses of international travel will be covered by the sending Countries, unless agreed otherwise.

2. Expenses on other workshops and training courses and other activities organised by ASEAN in accordance with this Memorandum of Understanding will be discussed and agreed upon by the Participants.

3. The activities mentioned in this Memorandum of Understanding will be conducted subject to the availability of funds and personnel of the Participants.

#### **Paragraph 5** **Confidentiality**

1. Information, document, data, equipment and technology received in accordance with this Memorandum of Understanding will not be disclosed or distributed to any third party except to the extent as authorised in written form to do so by the Participants providing it.

2. The Participants will take all necessary efforts to ensure the security of any information, data, equipment, and technology that is exchanged in order to achieve the purpose of this Memorandum of Understanding.

3. In the event of termination of this Memorandum of Understanding, the Participants have agreed that the provisions of this Paragraph will continue to apply.

**Paragraph 6**  
**Suspension**

Each Participant reserves the right for reasons of security, public order or public health to suspend temporarily, either in whole or in part the implementation of this Memorandum of Understanding. Such suspension will take effect immediately after notification has been given to the other Participant through diplomatic channels.

**Paragraph 7**  
**Revision and Amendment**

Either Participant may request in writing a revision, amendment or modification of all or any part of this Memorandum of Understanding. Any revision, amendment or modification will be subject to written mutual agreement between the Participants and will form an integral part of this Memorandum of Understanding. Such revision, amendment or modification will come into effect on such date as may be determined by the Participants.

**Paragraph 8**  
**Settlement of Dispute**

Any dispute or differences arising out of the interpretation/implementation/application of the provisions of this Memorandum of Understanding will be settled amicably through consultation/negotiation between the Participants without reference to any third party.

**Paragraph 9**  
**Depository**

The original copy of this Memorandum of Understanding will be deposited with the ASEAN Secretariat.

**Paragraph 10**  
**Duration and Termination**

1. This Memorandum of Understanding will come into effect upon signature and will continue in effect for a period of six (6) years and will be automatically renewed for further periods of six (6) years, unless earlier terminated.

2. Each Participant may give written notice to the other of its intention to terminate this Memorandum of Understanding. Such termination will be effective thirty (30) days after written notification has been given to the other Participant. The termination of this Memorandum of Understanding will not affect the implementation of ongoing activities/programs.

IN WITNESS WHEREOF, the undersigned, being duly authorised by the Participants have signed this Memorandum of Understanding.

Done at \_\_\_\_\_, on \_\_\_\_\_ in two original copies in the English language.

For the Government of  
the People's Republic of China

For ASEAN