

Luxembourg, 31 May 1991
SN 107/91

9TH EC-ASEAN MINISTERIAL MEETING

LUXEMBOURG, 30-31 MAY 1991

JOINT DECLARATION
(FINAL VERSION)

1. The ninth meeting of the Foreign Ministers of the European Community (EC) and the Association of Southeast Asian Nations (ASEAN) was held in Luxembourg on 30-31 May 1991, under the co-chairmanship of Luxembourg and Malaysia.

2. The Ministers had a comprehensive exchange of views on a number of political and economic subjects. They reviewed the progress in EC-ASEAN relations since their last meeting which was held in Kuching from 16-17 February 1990. The Ministers expressed their satisfaction at the continued cooperation that exists between the EC and ASEAN. The meeting demonstrated the strong commitment of the two sides to strengthen further their relations.

INTERNATIONAL POLITICAL ISSUES

I. INTERNATIONAL SITUATION

3. The EC and ASEAN Ministers had an extensive exchange of views on the latest international developments in Europe, the Middle East, South Africa and the Asia Pacific region. They noted that the world had changed fundamentally in the last few years.

4. They warmly welcomed the changes in Central and Eastern Europe whose people have shown their strong aspirations towards freedom, multiparty democracy, respect for human rights, prosperity, social justice and peace, as well as their desire to decide their own destiny and to choose the path of their development. They noted that the Paris Charter adopted in November 1990 by Heads of State or Government of the 34 CSCE participating states marked the overcoming of the cold war divisions, strengthening peace and opening a new era of confidence and cooperation. They underlined that these developments contributed to a more conducive atmosphere in resolving regional conflicts through dialogue and negotiations. They stated their conviction that the signature of the Treaty on conventional armed forces in Europe represents a major contribution to the common objective of increased security and stability in Europe.

5. The Ministers also reviewed the positive developments in Asia. They noted that the dynamic economies of Asia have positively contributed to the process of enhancing regional as well as international peace and stability. They welcomed the ongoing efforts to solve the outstanding problems in North Asia. They took cognizance of the growth of democratic practices, respect for human rights, increased political and economic participation of all people which enhances the productive process and contributes to a more equitable sharing of economic benefits. The Ministers felt that the new opportunities arising from these positive and dynamic developments would further contribute to cooperative action between the EC and ASEAN countries.

6. While responding positively to these developments as hopeful auguries for a better future, and looking forward to a significant promotion of peace, security and cooperation among states, the Ministers also recognised that several uncertainties still exist, which call for increased international cooperation.

7. The Ministers were of the view that international cooperation to promote and encourage respect for human rights and for fundamental freedoms for all without distinction to race, sex and religion should be enhanced. In this context, the Ministers reviewed the developments in Burma and Vietnam and expressed the hope that the situations there would evolve in such a way as to enable them to take their place among the dynamic Asian economies.

8. The Ministers also addressed the serious social and economic problems of concern to international stability. The Ministers recognised that North-South cooperation efforts needed to be revitalised, in order to promote a favourable environment for growth and sustainable development in a world economy which is becoming increasingly interdependent and integrated.

II. CAMBODIA

9. The Ministers discussed the latest developments regarding the situation in Cambodia and the continuing efforts within the PICC negotiating process to achieve a comprehensive political settlement which would put an end to the tragic conflict in that country and to ensure its independence, sovereignty, territorial integrity and neutrality. They support the continuing efforts of the Co-Chairmen of the PICC and other concerned parties to create the conditions in which the Paris International Conference on Cambodia can be successfully reconvened.

10. They once again stressed the fundamental right of Cambodians to choose their own government in free and fair elections. They further underlined the need for human rights to be fully protected in Cambodia. They reaffirmed their condemnation of those responsible for the policies and practices which led to the extermination of hundreds of thousands of Cambodians from 1975 to 1978 and expressed the view that any settlement should prevent the return to the genocidal practices and policies of the past and that no Cambodian Group should be allowed to seize or retain power through force of arms.

11. The Ministers reviewed the progress of the negotiating process since their last meeting in Kuching. In this context, they warmly welcomed the efforts of the Five Permanent Members of the UN Security Council and the role of the UN Secretary-General. They fully supported the New York Framework for a comprehensive political settlement elaborated by the Five Permanent Members of the UN Security Council. They also expressed their appreciation to the Secretary-General of the UN for his constructive role.

12. They noted with satisfaction the agreement by the Cambodian parties at the Jakarta Informal Meeting on 10 September 1990, to the New York Framework in its entirety as the basis for settling the Cambodian conflict, which was unanimously endorsed on 20 September 1990 and on 15 October 1990 by the United Nations Security Council and the General Assembly respectively. They welcomed the establishment of the Supreme National Council (SNC) at the Jakarta meeting.

13. They further noted with satisfaction that draft agreements for the comprehensive political settlement had been completed at the meeting in Paris from 23 to 26 November 1990, between the Five Permanent Members of the UN Security Council and the Co-Chairmen of the Paris International Conference on Cambodia.

14. They were greatly encouraged that the members of the SNC reiterated their acceptance of the New York Framework in its entirety and that they concurred on most of the fundamental points in the documents when the Co-Chairmen presented the draft agreement to the SNC in Paris on 21-23 December 1990. They also expressed their regret that not all the involved parties were able to accept it in its entirety.

15. They noted, however, that while there is now a considerable degree of agreement among the Cambodian parties and within the international community concerning core elements of a negotiated settlement, several elements necessary for reaching a comprehensive settlement were still contentious issues among parties.

16. The Ministers welcomed the ceasefire appeal by the Secretary General of the UN and the two Co-Chairmen of the PICC issued on 22 April 1991 and the sending of a three-men team and the military advisor of the Secretary of the UN, Gen. Dibutama, assisted by Lt. Col. Edouard Castagnet-Cazalis and Lt. Col. Sutarto to observe its implementation.

17. The Ministers welcomed the planned meeting between the Co-Chairmen with the members of the SNC to further discuss the remaining questions in Jakarta with a view to finalizing the agreements at the Coordinating Committee of the Paris Conference, as anticipated in the Joint Communiqué of the Co-Chairmen of the Paris Conference published after their 2 February 1991 mission to Vietnam.

18. They strongly urged the Cambodian parties, in accordance with the Communiqué of the Paris Meeting of 21-23 December 1990, to continue to exercise genuine self-restraint on the battlefield for the Paris Conference to be reconvened in an atmosphere conducive to national reconciliation. The Ministers called on the countries involved to make all possible efforts to bring their influence to bear in support of the peace process.

III. INDOCHINESE ASYLUM-SEEKERS

19. The Ministers expressed their deep concern that despite sustained efforts over the past two years to implement the comprehensive plan of action (CPA) agreed at the United Nations international Conference on indo-chinese refugees held in Geneva in June 1989, no durable solution is yet in sight, while the situation is deteriorating sharply: the number of vietnamese asylum seekers in the camps in Southeast Asia is now higher than at any time since 1979. As for Hong Kong, new arrivals are being registered at a rate approaching the crisis levels of 1989.

20. They reaffirmed the importance of the balanced and coordinated implementation of the CPA, including in particular the fundamental principle that non-refugees are not eligible for resettlement and must return to their country of origin, rather than remain indefinitely in detention camps in the region. They recalled that as long ago as January 1990, the Steering Committee set up under the CPA, reached agreement on modalities for the return of all non-refugees to their country of origin and that in Kuching, one month later the Ministers called upon the parties directly concerned to settle, as soon as possible, the outstanding issue, namely the date prior to which voluntary return alone should take place.

21. While welcoming the statement reaffirming the CPA issued by the Steering Committee meeting in Geneva on 30 April/1 May, the Ministers stressed the importance of early consultations on alternatives and additional measures which must bring about greatly accelerated rates of return of non-refugees to the country of origin if the CPA is to survive as an effective instrument. They called on concerned governments to approach these consultations in an imaginative and positive spirit.

22. The Ministers noted with appreciation that the initial phase of the repatriation and reintegration assistance programme for returning Vietnamese announced by the European Commission in July 1990 was now being implemented.

They called on the international donor community to contribute generously to this programme which directly supports and enhances the Comprehensive Plan of Action.

23. They further stressed the important part which the United Nations High Commissioner for Refugees plays in supporting international efforts to solve this problem and welcomed the High Commissioner's readiness to monitor all non-refugees back in Vietnam, regardless of their mode of return.

24. The EC and ASEAN Ministers recalled their determination to maintain their coordinated response to the situation.

IV. MIDDLE EAST

25. The Ministers discussed the situation which had resulted from Iraq's occupation of Kuwait in violation of international law.

26. They welcomed the restoration of the legitimate government in Kuwait and reaffirmed their commitment to the sovereignty, unity, independence, and territorial integrity of all countries of the region.

The Ministers expressed their support for emergency relief efforts undertaken by various countries and the United Nations to assist the civilian population in northern and southern Iraq. They expressed their hope that these refugees and displaced persons will be able to return to their former homes soon. They condemned the unacceptable treatment inflicted on those refugees and displaced persons.

27. The Ministers emphasised that the immediate post war phase is an opportune moment for all concerned to address the fundamental causes of instability within the region in particular the Arab-Israeli conflict and the Palestinian question. They agreed that efforts to foster relations of mutual trust and cooperation between parties concerned with the Arab-Israeli conflict would promote dialogue and confidence building.

28. In this connection the Ministers exchanged views on the continuing efforts of the United States in promoting a peaceful settlement of the Arab-Israeli conflict and the Palestinian question. They expressed their support for these efforts as a means of relaunching the Middle East peace process. They agreed that the EC had a useful role to play in this process.

29. The Ministers reaffirmed their support for the convening of an International Conference involving the UN, which would provide an appropriate forum for negotiations on a peace settlement. They stressed the urgency of a settlement in accordance with UN Security Council Resolutions 242 and 338 which would uphold the right to security of all States in the region, including Israel, to live within secure, recognised and guaranteed frontiers, and would uphold justice for all the peoples of the region. This settlement includes recognition of the legitimate rights of the Palestinian people, including their right to self-determination with all that this implies.

30. The Ministers expressed their deep concern about the deteriorating situation in the occupied territories. They deplored the continuing establishment of illegal Israeli settlements in these territories, which is in defiance of UN Security Council Resolutions. They also considered that any further Israeli settlement in the occupied territories would be especially prejudicial at a time when all parties should be adopting a flexible and realistic approach so as to bring about a climate of confidence favourable to the launching of negotiations.

31. The Ministers reaffirmed their commitment to the full sovereignty, territorial integrity and national unity of Lebanon. They expressed their strong support for the full implementation of the Taif agreement to achieve national reconciliation in a Lebanon free of all foreign troops.

32. They had an exchange of views on the Conference on Security and Cooperation in the Mediterranean, which the EC Ministers considered to be a contribution to economic and social progress, non-proliferation of weapons and peaceful coexistence of different cultures and civilizations.

V. SOUTH AFRICA

33. The Ministers reiterated their total rejection of the system of apartheid and reaffirmed their commitment to its complete eradication, so that in its place a new, non-racial, united and democratic society could be built. The Ministers reviewed developments in South Africa and welcomed the reform measures already taken by President de Klerk including the release of Mr. Nelson Mandela and other political prisoners, the unbanning of the ANC and other opposition groups, the tabling of legislation to repeal the Group Areas and Land Acts, and the Population Registration Act, subject to certain transitional measures. However, the Ministers expressed their concern that the continuing instability which prevails over the political process could impede the achievement of irreversible change desired by all.

34. The Ministers noted with concern the continuing high level of violence which poses a threat to negotiations on a new constitution. They called on the leaders of all parties to restrain their followers and promote an atmosphere of political tolerance, whilst acknowledging the primary responsibility of the South African government for the maintenance of law and order.

35. The Ministers recognised the urgent need for economic growth to underpin the process of political change and to begin to address the pressing social and economic problems which racial oppression and violence have bred.

36. The Ministers took note that some countries have lifted sanctions to encourage further reforms while others maintain that current developments in South Africa do not as yet warrant the lifting of sanctions. The Ministers agreed to the use of all measures aimed at the complete abolition of apartheid, including the encouragement of the movement underway, and the maintaining of effective pressure in a variety of ways (including restrictive measures) on South Africa.

JOINT DECLARATION
(Economic Portion)

EC - ASEAN RELATIONS

37. Having agreed at the 8th AEMM in Kuching, Malaysia 16-17 February 1990 on the need to review the existing cooperation agreement and to chart the future course of EC-ASEAN relations, the Ministers noted the impressive progress in EC-ASEAN relations since the signing of the Cooperation Agreement in 1980, they agreed that the revision of the Agreement was now necessary and they decided that the new Agreement be broadened in scope to cover all domains of cooperation between the two regions so as to better reflect the new conditions and priorities in both regions.

ECONOMIC AND DEVELOPMENT COOPERATION

38. The ASEAN Ministers noted the new EC guidelines for financial and technical cooperation with developing countries in Asia and Latin America. They noted in particular the balanced package of instruments covering both economic cooperation and development aid, the introduction of a multi-annual approach and the special emphasis on assistance for environmental protection.

39. In the light of the profound changes in the ASEAN region, the ASEAN Ministers found the refocusing of economic cooperation especially timely. The future concentration on:

- 1) improving the flow of technical, economic and cultural exchanges between the EC and developing countries, including the strengthening of their scientific and technical potential;

- 2) to assist in the up-grading of the general economic and regulatory environment for the development of modern industry and services including satisfactory conditions for foreign investment;
- 3) direct assistance to economic operators in order to facilitate the access to technology, markets and finance including the creation of joint ventures with foreign partners

were found to be of special interest for ASEAN. Such concentration could help lead to a strengthening of industrial and investment cooperation between the two regions.

40. The Ministers reaffirmed that industrial and investment cooperation should be accorded high priority in EC-ASEAN relations as they are the thrust of economic cooperation between the two groupings in the future. The Ministers noted the fact that the EC International Investment Partners (EC-IIP) scheme (which completes a 3 year experimental phase this year) had met wide acceptance in the ASEAN region. In this context the ASEAN Ministers expressed their hope on an early prolongation and improvement of the scheme as well as EC assistance in organizing investment missions to ASEAN. The ASEAN Ministers recommended the establishment of a European Information Centre in each ASEAN country that would further strengthen industrial and investment cooperation between ASEAN and the EC.

41. The Ministers also noted that the Joint Investment Committees are useful in facilitating EC's investment in ASEAN countries. In this regard, it was agreed that their functioning be improved and their scope of activities broadened to make them more effective.

42. The EC Ministers agreed to encourage their private sector to participate in the ASEAN Industrial Joint Ventures (AIJVs) in which the duration of a 60% on non-ASEAN equity participation has

been extended from 31 December 1990 to 31 December 1993 upon the EC's request. The Meeting was of the view that with this encouragement, more AIJV projects would be realised.

43. The Ministers reaffirmed the importance of the private sector's participation in the EC-ASEAN industrial cooperation programmes and agreed on the following:

1. for both sides to consult with their own private sectors directly;
2. for private sectors of both regions to find effective ways for joint consultations,
3. to involve the private sectors of both sides in EC-ASEAN programmes.

COMMERCIAL COOPERATION

44. The ASEAN Ministers noted the development and progress towards the achievement of the European Single Market. They recognized it as a major exercise in trade liberalization within the region and expressed the hope that it will continue to contribute to a more liberal trading environment and provide new opportunities for suppliers with comparative advantage such as ASEAN.

45. The Ministers noted the increase in EC-ASEAN trade and investment that has taken place since the 8th AEMM and recognized the mutual benefits that flowed from this.

46. They noted the shift in ASEAN exports towards industrial products with a higher added value. The Ministers shared the view that joint efforts by EC and the ASEAN to maintain this positive development should be made through improvement in market access, trade and investment promotion and effective technology transfer.

47. The Ministers agreed that the EC GSP Scheme was an important tool by which ASEAN's exports to the EC could be diversified and increased. They welcomed the significant increase in benefits arising from the use of GSP. The ASEAN Ministers noted that the EC is revising the GSP Scheme in order to make it simpler and more transparent. They urged the EC to take into account ASEAN interests inter alia the inclusion of the donor country content.

48. The Ministers noted the results of the Third EC-ASEAN Trade Experts Meeting which was held in Kuala Lumpur on 19 February 1991. They welcomed this meeting which had allowed for an in-depth discussion of trade and investment trends as well as various trade issues thereby leading to a better understanding of the opportunities and challenges in both regions. They noted a number of difficulties encountered in bilateral trade relations discussed at the Trade Experts Meeting and agreed that further examination would need to be undertaken to resolve them.

49. The ASEAN Ministers expressed their appreciation to the EC for its assistance in ASEAN's trade promotion programmes which were found to be an important element in the process towards the diversification of exports.

URUGUAY ROUND

50. The Ministers exchanged views on the latest developments in the Uruguay Round. They expressed their desire for an early conclusion of the Uruguay Round with a balanced package of results that would be meaningful and beneficial to all participants. They took note that the EC-ASEAN Economic Ministers would also be discussing this matter at their extraordinary meeting on 1 June 1991 in Luxembourg.

COMMODITIES

51. The Ministers underlined the importance of the conservation and sustainable use of the world's forest. They agreed

that specific programmes and projects on sustainable forest management and conservation are important and desirable and should take into account the development needs of developing countries. The EC Ministers agreed to provide technical assistance to ASEAN in the areas of tropical forest management and conservation, processing and marketing of timber products as well as research and development activities on tropical forest.

52. They agreed on the importance of enhancing cooperation in the development of resource-based industries in the ASEAN region. The EC Ministers agreed to consider the requests from ASEAN for technical assistance to intensify downstream activities on commodities of interest to ASEAN countries.

53. The Ministers agreed to strengthen cooperation and collaboration in the area of research and development on the major commodities from ASEAN, particularly between research institutions of the two regions.

54. The Ministers agreed to continue to enhance cooperation in the various International Commodity Agreements and Arrangements to address commodity related problems in particular price instability and in this context they underscored the importance of continued cooperation towards a more effective operation of the second window of the Fund.

DRUGS

55. The Ministers stressed the importance they attach to systematic and continued action against the abuse of drugs and against organized crime related to illicit production and trafficking of narcotic and psychotropic substances. The EC Ministers appreciated and supported the serious and active efforts undertaken, at regional level by ASEAN in all aspects towards the control and prevention of the deadly scourge.

56. The Ministers agreed that the coming into force of the 1988 UN Convention on the Illicit Production and Trafficking of Drugs and Psychotropic Substances is an important step. They encouraged all ASEAN and EC Member States, which have not yet done so, soon to adhere to this convention.

57. The Ministers also agreed on the need for closer EC-ASEAN cooperation on drug control and prevention efforts, particularly in the implementation of programmes under the Comprehensive Multidisciplinary Outline (CMO) for Future Activities in Combatting Drug Abuse and the UN Global Programme of Action Against Drug Abuse. They agreed that the European Plan against Drugs, approved in December 1990, constitutes an important contribution to the implementation of that internationally concerted strategy.

58. The ASEAN Ministers welcomed the measures taken in 1990 by the EC to control and regulate the trade in chemical precursors and other essential chemicals, in application of the 1988 UN Convention, as well as its intention to take this year comparable measures against money laundering. They expressed the hope that the EC would share its expertise in these fields as well as others with their ASEAN counterparts.

The EC Ministers stressed the importance of the guidelines in the field of money laundering which have been defined by the International Financial Task Force, and they expressed the hope to see them widely adopted.

59. The Ministers welcomed the forthcoming Meeting of EC-ASEAN Senior Officials on Drug Matters to discuss specific fields of cooperation and concrete methods and measures of cooperation in the joint fight against drugs.

60. The Ministers noted with satisfaction the continued cooperation and collaboration between the EC and ASEAN on drug matters. The ASEAN Ministers expressed their appreciation to the EC for its assistance for the EC-ASEAN projects in the areas of drug prevention, detection, treatment and rehabilitation.