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978-1-107-49526-5 - Towards a Rules-Based Community: An Asean Legal Service

Jean-Claude Piris and Walter Woon

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## TOWARDS A RULES-BASED COMMUNITY: AN ASEAN LEGAL SERVICE

In 2007, ASEAN adopted the *ASEAN Charter*, which stated its ambition to become a ‘rules-based’ community respecting the rule of law. In order to fulfil this objective, it is vital that the necessary legal infrastructure has effective legal support. This book helps readers to understand the need for and role of such a legal service. To begin with, it explores the way ASEAN and its various institutions have evolved. The current situation with respect to the making of rules and settlement of disputes is then analysed, drawing not only on published primary and secondary materials, but also on the experience of diplomats, officials and legal officers. Finally, the authors draw on their practical experiences, as former attorney-general of an ASEAN member state and former head of the European Council legal service, to make recommendations on how an ASEAN Legal Service might be organised.

JEAN-CLAUDE PIRIS is President of Piris Consulting (European and Public International Law), a retired French Conseiller d’Etat, a former diplomat to the UN and former Director of Legal Affairs at the OECD, and was Director General of the Legal Service of the Council of the European Union for over 20 years. He has written several books with Cambridge University Press, most recently *The Future of Europe: Towards a Two-Speed EU?* (2012).

WALTER WOON is currently David Marshall Professor of Law at the National University of Singapore, the Dean of the Singapore Institute of Legal Education and President of the Goethe Institute Singapore.

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He was formerly Attorney-General of Singapore, ambassador to the European Communities and several European countries, a member of the High Level Task Force to draft the ASEAN Charter and a nominated Member of Parliament. Professor Woon specialises in company law, criminal law and international law.

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## INTEGRATION THROUGH LAW

The Role of Law and the Rule of Law in ASEAN Integration

### *General Editors*

J. H. H. Weiler, European University Institute

Tan Hsien-Li, National University of Singapore

Michael Ewing-Chow, National University of Singapore

The Association of Southeast Asian Nations (ASEAN), comprising the ten member states of Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam, has undertaken intensified integration into the ASEAN Community through the Rule of Law and Institutions in its 2007 Charter. This innovative book series evaluates the community-building processes of ASEAN to date and offers a conceptual and policy toolkit for broader Asian thinking and planning of different legal and institutional models of economic and political regional integration in the region. Participating scholars have been divided up into six separate thematic strands. The books combine a mix of Asian and Western scholars.

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The Centre for International Law (CIL) was established in 2009 at the National University of Singapore's Bukit Timah Campus in response to the growing need for international law expertise and capacity building in the Asia-Pacific region. CIL is a university-wide research centre that focuses on multidisciplinary research and works with other NUS or external centres of research and academic excellence. In particular, CIL collaborates very closely with the NUS Faculty of Law.

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TOWARDS A RULES-BASED  
COMMUNITY: AN ASEAN  
LEGAL SERVICE

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AND

WALTER WOON



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## CAMBRIDGE UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning and research at the highest international levels of excellence.

[www.cambridge.org](http://www.cambridge.org)

Information on this title: [www.cambridge.org/9781107495265](http://www.cambridge.org/9781107495265)

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First published 2015

A catalogue record for this publication is available from the British Library

Library of Congress Cataloging-in-Publication Data

Piris, Jean-Claude, author.

Towards a rules-based community: an ASEAN legal service / Jean-Claude Piris and Walter Woon.

pages cm

Includes index.

ISBN 978-1-107-49526-5 (Paperback)

1. ASEAN. 2. Legal services—Southeast Asia. 3. Law—Southeast Asia—International unification. I. Woon, Walter C. M., author. II. Title.

KNE168.W66 2015

341.24'73—dc23 2014037661

ISBN 978-1-107-49526-5 Paperback

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#### NOTE ON THE AUTHORS

### **Jean-Claude Piris**

President of Piris Consulting SPRL, a consulting firm on international issues, especially in European and public international law. Member of the Board of Trustees of the Academy of European Law, Trier, of the Advisory Board of the Centre for European Legal Studies, University of Cambridge, of the Scientific Board of the Robert Schuman Foundation, Paris and of the Governing Board of the European Institute for Public Administration, Maastricht. Member of the Audit Committee of the EU's Council.

Former Legal Counsel of the European Council (Heads of State or Prime Ministers of the EU member states) and of the EU Council of Ministers, Director General of the Legal Service of the Council (1988–2010). Jean-Claude Piris was the legal adviser of the intergovernmental conferences which negotiated and adopted the Treaties of Maastricht (1991–2), Amsterdam (1996–7), Nice (2000–1), the Constitutional Treaty (Rome, 2004) and Lisbon (2007). Barrister of the Council in a number of cases before the EU Court of Justice. Legal Director of the OECD (1985–8). French diplomat at the United Nations (1979–83). French Conseiller d'État (1972–2004). Senior Emile Noël Fellow at the Jean Monnet Centre of European Law and Fellow at the Straus Centre at NYU (2010–11). Alumnus École nationale d'administration

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#### *Books*

2013: *Il Trattato di Lisbona*; foreword by Giorgio Napolitano, President of the Italian Republic.

2012: *The Future of Europe: Towards a Two-Speed EU?* (Cambridge University Press); foreword by Joseph H. H. Weiler.

2010: *The Lisbon Treaty: A Legal and Political Analysis* (Cambridge University Press); foreword by Angela Merkel, Chancellor of the Federal Republic of Germany.

2007: *Il Processo di riforma dell'UE – Il trattato costituzionale nella prospettiva del trattato di riforma*; foreword by Giuliano Amato, Minister of Home Affairs, former Prime Minister of Italy.

2006: *The Constitution for Europe: A Legal Analysis* (Cambridge University Press).

2006: *Le traité constitutionnel pour l'Europe: une analyse juridique*; preface by Jean-Claude Juncker, Prime Minister of Luxembourg.

2006: *El tratado Constitucional para Europa: un análisis jurídico*; foreword by Alberto Navarro, Secretary of State of Spain for the EU.

#### *Articles*

Report of the Tommaso Padoa-Schioppa Group: 'Completing the Euro: A Road Map towards Fiscal Union in Europe' (Paris, 2012).

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‘Is It Time for the Euro Area to Develop Further Closer Cooperation among its Members?’ (J. Monnet Papers, New York University, December 2011).

‘Does the EU Have a Constitution? Does It Need One?’ (Harvard Law School, 1999, *European Law Review*, also published in French, *RTDE*, and in German, *Europarecht*, 2000).

‘The 1996 Intergovernmental Conference’ (1995, *European Law Review*, also published in French, *RTDI*, 1995, in Spanish, *Gaceta Jurídica de la CEE*, 1995 and in Italian, *Il Diritto dell’Unione Europea*, 1996).

*Lectures*

King’s College London, December 2013: ‘The Five Crises in Europe and the Future of the EU’ (E!Sharp on-line).

Ditchley (UK), 2012: ‘A Two-Tier Europe and its Consequences’.

Brussels, European Parliament, 2012: ‘Challenges of Multi-Tier Governance in the EU: Which Institutional Solutions?’

Berlin, Humboldt University, 2012: ‘The Euro Crisis, Democratic Legitimacy and the Future Two Speed Europe’.

Oxford University, 2012: ‘The Future of Europe: Towards a Two Speed EU?’

National University of Singapore, Centre for International Law, 2012: ‘The Euro Crisis, Democratic Legitimacy and a Future Two Speed Europe’.

Ditchley, 2011: ‘Who Holds the Power in Europe?’

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## NOTE ON THE AUTHORS

Singapore, 2011: ‘The EU Foreign Policy after the Lisbon Treaty’.

Harvard Law School, 2010: ‘The EU External Relations’.

*Conferences*

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To political authorities and senior officials: in Frankfurt (European Central Bank), Athens, Barcelona, Brussels, Bucharest, Copenhagen, Ditchley, Dublin, Helsinki, Linz, Madrid, Paris, Prague, Reykjavik, Rome, Vienna, Vilnius, Warsaw, etc. Three written submissions to the United Kingdom’s House of Lords and House of Commons, at their request.

*Decorations*

Grand Officier de la Couronne (Belgique, 2013), Grand Cross in the Order of Knighthood of Henry the Navigator (Portugal, 2012), Commander in the Order of Orange-Nassau (Netherlands, 2011), Chevalier (1997) and Officier (2010) de la Légion d’Honneur (France), Grosse Goldene Ehrenzeichen mit dem Stern (Austria, 2002), Commander in the Order of Isabel la

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#### NOTE ON THE AUTHORS

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#### **Walter Woon**

Professor Walter Woon read law at the National University of Singapore on a DBS Scholarship from 1977 to 1981. He graduated with an LLB (First Class Hons) in 1981 at the top of the class, winning the Adrian Clark Memorial Gold Medal. He was also awarded the Law Society of Singapore Book Prize (three times, in 1978, 1979 and 1980), the Leow Chia Heng Prize (1981) and the External Examiners' Special Cash Prize (1981). The same year he also topped the Postgraduate Practice Law Course (PLC), winning the Aw Boon Haw & Aw Boon Par Memorial Prize and the Tan Ah Tah Book Prize. He attended St John's College, Cambridge on a Commonwealth Scholarship from 1982 to 1983, graduating with an LLM (First Class Hons), and was awarded the Wright Prize and Whytehead Scholarship.

Professor Woon was called to the Singapore Bar in 1984 and was appointed Senior Counsel (equivalent of Queen's Counsel) in 2007. He has appeared in several cases before the Court of Appeal and in 1995 represented the Presidency in the only case to have come before the Constitutional Tribunal.

He was Sub-Dean and Vice-Dean of the Law Faculty of the National University of Singapore from 1988 to 1991. From 1992 to 1996 he was a Nominated Member of Parliament, during which time he introduced the Maintenance of Parents Act as a private member's bill, the only one to have been passed into law. He was Legal Adviser to the President and the Council of Presidential Advisers from 1995 to 1997.

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#### NOTE ON THE AUTHORS

Between 1989 and 2001 he was a director of two companies listed on the Stock Exchange of Singapore, Intraco Ltd and Natsteel Ltd.

Between 1998 and 2006 Professor Woon was Singapore's Ambassador to Germany, Greece, the EU, Belgium, Luxembourg, the Netherlands and the Vatican. He was awarded the Grand Cross of the Order of St Gregory the Great in 2006.

Professor Woon was appointed second Solicitor-General in 2006, subsequently becoming Solicitor-General and then serving as Attorney-General of Singapore from 2008 to 2010. He also served as Judge Advocate General (2007–10), Member of the Board of Directors of the Monetary Authority of Singapore (2008–10) and Member of the Presidential Council for Minority Rights (2008–10).

In 2007 Professor Woon was an alternate member of the High Level Task Force to draft the ASEAN Charter. He functioned as delegation leader of the Singapore delegation in the latter half of the process and presented the completed Charter to the ASEAN leaders at the Thirteenth ASEAN Summit in Singapore (November 2007).

Professor Woon is currently David Marshall Professor at the Faculty of Law, National University of Singapore. He is concurrently Dean of the Singapore Institute of Legal Education, which oversees the Bar Examination and Foreign Practitioners Examination for persons seeking to practise law in Singapore. Professor Woon is also the Deputy Chairman of the Centre for International Law (CIL) National University of Singapore; the President of the Society for International Law Singapore (SILS); an Executive Committee

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Member of the Asian Society of International Law (Asian SIL); President of the Goethe Institute Society of Singapore; and an Honorary Fellow of the Singapore Institute of Directors (SID).

Professor Woon is the author of *Walter Woon on Company Law* (now in its 3rd edition), the standard text on Company Law in Singapore. His other publications include: *The Commercial Law of Singapore* (Cambridge, 1986); (with Andrew Hicks), *The Companies Act of Singapore – An Annotation* (1994, with supplements up to 2003); (as editor), *The Singapore Legal System* (1989); *Basic Business Law* (1994); (with Andrew Hicks), *The Companies Act of Malaysia – An Annotation* (1995, with supplements up to 2004); *The Annotated Statutes of Singapore*, vol. 1, *Companies and Securities Industry Acts* (1997); *Halsbury's Laws of Singapore*, vol. 6, *Company Law* (2000). His articles have also appeared in *Malayan Law Journal*, *Malaya Law Review*, *Securities Industry Review*, *Law Society Journal*, *Singapore Academy of Law Journal*, *Australian Journal of Corporate Law*, *Pacific Rim Law and Policy Journal* and *Korean Journal of International Law*. He is currently working on a Commentary on the ASEAN Charter for the Centre for International Law, National University of Singapore.



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GENERAL EDITORS' PREFACE

This monograph is published within the context of a wide-ranging research project entitled, *Integration Through Law: The Role of Law and the Rule of Law in ASEAN Integration (ITL)*, undertaken by the Centre for International Law at the National University of Singapore and directed by J. H. H. Weiler, Michael Ewing-Chow and Tan Hsien-Li.

The Preamble to the ASEAN Charter concludes with a single decision: "We, the Peoples of the Member States of the Association of Southeast Asian Nations . . . [h]ereby decide to establish, through this Charter, the legal and institutional framework for ASEAN." For the first time in its history of over four decades, the Legal and the Institutional were brought to the forefront of ASEAN discourse.

The gravitas of the medium, a Charter: the substantive ambition of its content, the creation of three interlocking Communities, and the turn to law and institutions as instruments for realization provide ample justification for this wide-ranging project, to which this monograph is one contribution, examining ASEAN in a comparative context.

That same substantive and, indeed, political ambition means that any single study, illuminating as it may be, will cover but a fraction of the phenomena. Our *modus operandi* in this project was to create teams of researchers from Asia and elsewhere who would contribute individual monographs

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within an overall framework which we had designed. The project framework, involving several thematic clusters within each monograph, is thus determined by the framework and the place of each monograph within it.

As regards the specific content, however, the authors were free, indeed encouraged, to define their own understanding of the problem and their own methodology and reach their own conclusions. The thematic structure of the entire project may be found at the end of this Preface.

The project as a whole, and each monograph within it, display several methodological sensibilities.

First, law, in our view, can only be understood and evaluated when situated in its political and economic context. Thus, the first studies in the overall project design are intended to provide the political, economic, cultural and historical context against which one must understand ASEAN and are written by specialists in these respective disciplines. This context, to a greater or lesser degree, also informs the sensibility of each monograph. There are no "black letter law" studies to be found in this project and, indeed, even in the most technical of areas we encouraged our authors to make their writing accessible to readers of diverse disciplines.

Comparative experience suggests that the success of achieving some of the more ambitious objectives outlined in Article 1 of the Charter will depend in no small measure on the effectiveness of legal principles, legal rules and legal institutions. This is particularly true as regards the success of establishing "an ASEAN Community comprising the ASEAN Security Community, the ASEAN Economic Community and the ASEAN Socio-Cultural Community as provided for in the

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Bali Declaration of ASEAN Concord II". Article 2(2)(n) stipulates the commitment of ASEAN Member States to act in accordance with the principle of "adherence to multilateral trade rules and ASEAN's rules-based regimes for effective implementation of economic commitments and progressive reduction towards elimination of all barriers to regional economic integration." The ASEAN Member States therefore envisage that rules of law and the Rule of Law will become a major feature in the future of ASEAN.

Although, as seen, the Charter understands itself as providing an institutional and legal framework for ASEAN, the question of the "role of law and the rule of law" is not advocacy but a genuine enquiry in the various substantive areas of the project as to:

- the substantive legal principles and substantive rules of the various ASEAN communities;
- the procedural legal principles and rules governing institutional structures and decision-making processes;
- implementation, enforcement and dispute settlement.

One should not expect a mechanical application of this scheme in each study; rather, a sensibility that refuses to content itself with legal enactments as such and looks to a "living" notion of law and institutions is ubiquitous in all the studies. Likewise, the project is sensitive to "non Law." It variously attempts to locate the appropriate province of the law in this experience. That is, not only the role of law, but also the areas that are and should remain outside the reach of legal institutionalization with due sensitivity to ASEAN and Asian particularism and political and cultural identities.

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The project, and the monographs of which it is made, are not normatively thick. They do not advocate. They are designed, for the most part, to offer reflection, discuss the pros and cons, and in this way enrich public awareness, deepen understanding of different options and in that respect contribute indirectly to policymaking.

This decisive development of ASEAN has been accompanied by a growing Asian interest in various legal and institutional forms of transnational economic and political cooperation, notably the various voices discussing and showing an interest in an East Asia Integration project. The number of Free Trade Agreements (FTAs) and Regional Trade Agreements (RTAs) has increased from six in 1991 to 166 in 2013, with a further 62 in various stages of negotiations.

Methodologically, the project and many of the monographs are comparative in their orientation. Comparative law is one of the few real-life laboratories that we have in which to assess and understand the operation of different legal and institutional models designed to tackle similar objectives and problems. One should not need to put one's own hand in the fire to learn that it scorches. With that in mind a couple of monographs offer both conceptual reflection and pragmatic "tool boxing" on some of the key elements featuring in all regional integration systems.

Comparative law is in part about divergence: it is a potent tool and means to understand one's own uniqueness. One understands better the uniqueness of Apples by comparing them to Oranges. You understand better the specialness of a Toyota by comparing it to a Ford.

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Comparative law is also about convergence: it is a potent tool and means to understand how what are seemingly different phenomena are part of a broader trend, an insight which may enhance both self-understanding and policy potentialities.

Although many studies in the project could have almost immediate policy implications, as would the project as a whole, this is not its only or even principal purpose. There is a rich theory of federalism which covers many countries around the world. There is an equally rich theory of European integration, which has been associated with the advent Union. There is also considerable learning on Free Trade Areas and the like.

To date, the study of the legal aspects of ASEAN specifically and other forms of Asian legal integration has been derivative of, and dependent on, theoretical and conceptual insight which were developed in different contexts.

One principal objective of ITL and these monographs will be to put in place the building blocks for an authentic body of ASEAN and Asian integration theory developed in, and with sensitivity to, the particularities and peculiarities of the region and continent. A theory and conceptual framework of Asian legal integration will signal the coming of age of research of and in the region itself.

Although the monographs form part of an overarching project, we asked our authors to write each as a “standalone” – not assuming that their readers would have consulted any of the other titles. Indeed, the project is rich and few will read all monographs. We encourage readers to pick and choose from the various monographs and design their own menu.

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#### GENERAL EDITORS' PREFACE

There is, on occasion, some overlap in providing, for example, background information on ASEAN in different studies. That is not only inevitable but desirable in a project of this amplitude.

The world is increasingly witnessing a phenomenon of interlocking regional organization where the experience of one feeds on the others. In some way, the intellectual, disciplinary and comparative sensibility of this project is a microcosm of the world it describes.

The range of topics covered in this series comprises:

The General Architecture and Aspirations of ASEAN

The Governance and Management of ASEAN: Instruments,  
Institutions, Monitoring, Compliance and Dispute Resolution

Legal Regimes in ASEAN

The ASEAN Economic Community

ASEAN and the World

The Substantive Law of ASEAN

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## PREFACE

ASEAN is an organisation propelled by a mixture of idealism and hot air. From its inception as a confidence-building association in 1967 to the ambitious adoption in the 2011 Bali Concord III of an ASEAN common platform on global issues, there have been many idealistic statements and declarations. The great failing of ASEAN, repeatedly identified by successive Secretaries-General and the Eminent Persons' Group on the ASEAN Charter, has been the failure to follow up on the grand designs with concrete measures.

Idealism was the primary driver of the ASEAN Charter, which came into force in December 2008. Hitherto, ASEAN had functioned without a formal legal structure. There was in fact no treaty governing the structure and administration of the organisation. Business was done on an ad hoc basis. It was felt that after four decades some formal legal structure had to be given to the organisation if it was to be fit to meet the challenges of the twenty-first century.

The level of ambition is high. The declared goal is to create by 2015 an ASEAN Community comprising three pillars: the ASEAN Economic Community (AEC), the ASEAN Political-Security Community (APSC) and the ASEAN Socio-Cultural Community (ASCC). None of this will work unless there is an infrastructure of law. Indeed, in the ASEAN Charter and subsequent declarations by the

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## P R E F A C E

leaders of the ASEAN member states, the rule of law is repeatedly emphasised, as is the desire to make ASEAN a rules-based organisation. Good governance and human rights are also underlined. All of this requires a firm legal basis, which ASEAN has hitherto lacked.

There is a dearth of material on the legal history of ASEAN and the ASEAN Charter. In order to understand the necessity for a proper legal service, it is essential to appreciate how ASEAN came into being and what its present shape is. This monograph is not meant to be a theoretical exposition of what a perfect ASEAN should be, much less is it a comparative study of other regional and international organisations. In writing this monograph, the authors have drawn on their own personal experiences rather than scholarly material written by academics. The theory is one thing; reality is quite another. Secondary literature (with few exceptions) comes from people who are not participants but merely observers from afar; for this reason there has been little citation of academic writings. When drafting the Charter, the High Level Task Force did not refer to academic sources at all. Much of what is contained in the first two chapters is a distillation of the source material (*viz.* the numerous ASEAN declarations, road maps, plans of action and other documents) in the light of the authors' experience and discussions with the actual participants.<sup>1</sup>

<sup>1</sup> Much of the material in these chapters is the result of research done by one of the authors for a Commentary on the ASEAN Charter. This material will appear again in the Commentary when it is published.



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Nor is this monograph aimed primarily at the academic community. Rather, the audience is the practitioners: the diplomats, politicians and officials that make ASEAN run. The object of the authors is to provide an overview of how ASEAN came to be what it is, what the organisation is like now and why the creation of a proper legal service is crucial to its development into a rules-based law-abiding ASEAN Community.

The first chapter of this monograph sketches the history of ASEAN. Without this basic understanding of the history of the organisation it is impossible to understand the deeply held aversion to formal structures and procedures. ASEAN's origin as an association of non-Communist countries in Southeast Asia seeking to build trust among themselves in a dangerous world is described for the convenience of those unfamiliar with this history (which unfortunately includes most citizens of ASEAN member states, who often are taught more in school about the history of Europe than that of Southeast Asia). It is important to understand the origins of ASEAN in order to appreciate why the 'ASEAN way' is what it is. The first part of Chapter 1 also traces the development of the various organs of ASEAN – the ASEAN Summit, the ASEAN Ministerial Meeting, the ASEAN Economic Ministers' Meeting, the Secretary-General, the ASEAN Secretariat and the multifarious ministerial meetings that have been established over the years. Much of the practice in ASEAN is not documented. It is necessary to plough through the many ASEAN documents and put them in some order so that this background can be appreciated. Without knowledge of how ASEAN has evolved over the last four and

Cambridge University Press

978-1-107-49526-5 - Towards a Rules-Based Community: An Asean Legal Service

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a half decades there is no context for the legal service. This brief overview will, it is hoped, give the reader some idea of that evolution. An understanding of the alphabet soup of acronyms representing the various subgroups and organs of ASEAN is essential to a proper appreciation of the future development of the ASEAN Community.

The second half of Chapter 1 describes and analyses the evolution of the ASEAN Charter, which now forms the legal foundation of the ASEAN Community. The Charter is not quite a constitution, but it provides the legal basis for the development of the ASEAN Community. It is not the object of this monograph to explain every facet of the Charter. Rather, four significant aspects are dealt with in particular: dispute settlement, the Community Councils, the Secretary-General and Secretariat and the Committee of Permanent Representatives. These were innovations designed to ensure the proper working of the ASEAN Economic Community (AEC), the ASEAN Political-Security Community (APSC) and the ASEAN Socio-Cultural Community (ASCC). These provide the basis for the future evolution of ASEAN from an association into a rules-based, people-centred community.

Chapter 2 examines how the theory (as set out in the numerous declarations, road maps, plans of action, etc. issued after ASEAN meetings) squares with practice, focusing in particular on how rules are made and disputes settled. An organisation which aims to be rules-based needs to have a coherent method for making those rules. The first part of the chapter describes how the process has hitherto been carried out, which can only be described as extremely ad hoc. Crucially, the rule of law requires a proper means to settle

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disputes in a legally binding manner. The next part of the chapter therefore describes and analyses in detail the theoretical framework of agreements governing dispute settlement. The chapter goes on to examine how this actually works in reality, focusing on the few cases involving ASEAN member states that have reached the stage of international adjudication. The aim is to provide the reader with a better appreciation of what ‘the ASEAN way’ means in practice. The chapter concludes with a survey of the blueprints for the establishment of the ASEAN Economic Community (AEC), the ASEAN Political-Security Community (APSC) and the ASEAN Socio-Cultural Community (ASCC).

Chapter 3 makes the case for the establishment of a proper ASEAN Legal Service. The first part of the chapter describes the experience of other intergovernmental and supranational organisations. However, it must be appreciated that ASEAN has no ambition to become a supranational entity; there is no political desire for an ever-closer union. During the drafting of the Charter it was clearly understood that the EU is not a model for ASEAN. Nonetheless, the legal services of the EU are described in order to provide a backdrop against which to consider the role of such a legal service in the development of ASEAN as a rules-based, law-abiding organisation. The object of the exercise is to provide some pointers on how the proposed ASEAN Legal Service might be structured. It is always wise to learn from others and adapt rather than attempt to rebuild from scratch what others have done before.

The role of an ASEAN Legal Service would include: drafting rules and regulations, providing the institutional legal

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memory of ASEAN, giving legal advice, assisting in monitoring the implementation of and compliance with ASEAN instruments, representing the organisation in legal proceedings and providing support for the dispute settlement process. The second part of the chapter is devoted to setting out the possible structure of such a legal service, drawing on the authors' respective experiences as heads of the legal service of an ASEAN member state and the EU.

The object of this monograph is to provoke thought about the legal underpinnings of the ASEAN Community. This is absolutely essential if ASEAN is to achieve its ambitions. It is easy to proclaim that ASEAN shall become a rules-based community in which the rule of law, human rights and good governance are basic principles. Achieving that aim is the difficult part. Sceptics might dismiss all of this as mere hot air. But, as the Montgolfier brothers demonstrated, hot air, properly harnessed, can lift a man to the heavens.

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## ABBREVIATIONS

AANZFTA	ASEAN–Australia–New Zealand Free Trade Area
ACB	ASEAN Compliance Body
ACC	ASEAN Coordinating Council
ACIA	ASEAN Comprehensive Investment Agreement
ACMB	ASEAN Compliance Monitoring Body
ACT	ASEAN Consultation to Solve Trade and Investment Issues
ADMM	ASEAN Defence Ministers’ Meeting
AEC	ASEAN Economic Community
AEC	ASEAN Economic Community Council
AEM	ASEAN Economic Ministers’ Meeting
AFMM	ASEAN Finance Ministers’ Meeting
AFTA	ASEAN Free Trade Area
AHMM	ASEAN Health Ministers’ Meeting
AHRD	ASEAN Human Rights Declaration
AIA	ASEAN Investment Area
AICHR	ASEAN Intergovernmental Commission on Human Rights
AIELN	Asian International Economic Law Network
AIPO	ASEAN Inter-Parliamentary Organisation
ALAWMM	ASEAN Law Ministers’ Meeting
ALMM	ASEAN Labour Ministers’ Meeting

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## ABBREVIATIONS

AMAF	Meeting of the ASEAN Ministers of Agriculture and Forestry
AMCA	Meeting of ASEAN Ministers Responsible for Culture and the Arts
AMEM	ASEAN Ministers on Energy Meeting
AMM	ASEAN Ministerial Meeting (meeting of the Foreign Ministers)
AMME	ASEAN Ministerial Meeting on the Environment
AMMin	ASEAN Ministerial Meeting on Minerals
AMMST	ASEAN Ministerial Meeting on Science and Technology
AMMTC	ASEAN Ministerial Meeting on Transnational Crime
AMRDPE	ASEAN Ministers on Rural Development and Poverty Eradication
AMRI	ASEAN Ministers Responsible for Information
APSC	ASEAN Political-Security Community
ASC	ASEAN Standing Committee (consisting of foreign ministry officials)
ASCC	ASEAN Socio-Cultural Community
ASEAN-ISIS	ASEAN Institutes of Strategic and International Studies
ASEC	ASEAN Secretariat
ASED	ASEAN Education Ministers' Meeting
ASLOM	ASEAN Senior Law Officials' Meeting
ASOD	ASEAN Senior Officials on Drug Matters
ATIGA	ASEAN Trade in Goods Agreement
ATM	ASEAN Transport Ministers' Meeting
CCI	Coordinating Committee on Investment
CEPT	Common Effective Preferential Tariff