

No. 15063

MULTILATERAL

Treaty of amity and co-operation in Southeast Asia (with an agreed common translation into English). Concluded at Denpasar, Bali, on 24 February 1976

*Authentic texts: Indonesian, Malay, Filipino and Thai.
Registered by the Philippines on 20 October 1976.*

MULTILATÉRAL

Traité d'amitié et de coopération dans l'Asie du Sud-Est (avec traduction anglaise convenue). Conclu à Denpasar (Bali) le 24 février 1976

*Textes authentiques : indonésien, malais, philippin et thaï.
Enregistré par les Philippines le 20 octobre 1976.*

Untuk Republik Indonesia:
Bagi Pihak Republik Indonesia:
Para sa Republika ng Indonesya:
สำหรับสาธารณรัฐอินโดนีเซีย ;
For the Republic of Indonesia:

[Signed — Signé]
SOEHARTO
President

Untuk Malaysia:
Bagi Pihak Malaysia:
Para sa Malaysia:
สำหรับมาเลเซีย ;
For Malaysia:

[Signed — Signé]
DATUK HUSSEIN ONN
Prime Minister

Untuk Republik Pilipina:
Bagi Pihak Republik Filipina:
Para sa Republika ng Pilipinas:
สำหรับสาธารณรัฐฟิลิปปินส์ ;
For the Republic of the Philippines:

[Signed — Signé]
FERDINAND E. MARCOS
President

Untuk Republik Singapura:
Bagi Pihak Republik Singapura:
Para sa Republika ng Singapore:
สำหรับสาธารณรัฐสิงคโปร์
For the Republic of Singapore:

[*Signed — Signé*]
LEE KUAN YEW
Prime Minister

Untuk Kerajaan Thailand:
Bagi Pihak Thailand:
Para sa Kaharian ng Thailand:
สำหรับราชอาณาจักรไทย
For the Kingdom of Thailand:

[*Signed — Signé*]
KUKRIT PRAMOJ
Prime Minister

[AGREED COMMON ENGLISH TRANSLATION—
TRADUCTION ANGLAISE CONVENUE]

TREATY¹ OF AMITY AND COOPERATION IN SOUTHEAST ASIA

PREAMBLE

The High Contracting Parties:

Conscious of the existing ties of history, geography and culture, which have bound their peoples together;

Anxious to promote regional peace and stability through abiding respect for justice and the rule of law and enhancing regional resilience in their relations;

Desiring to enhance peace, friendship and mutual cooperation on matters affecting Southeast Asia consistent with the spirit and principles of the Charter of the United Nations, the Ten Principles adopted by the Asian-African Conference in Bandung on 25 April 1955, the Declaration of the Association of Southeast Asian Nations signed in Bangkok on 8 August 1967, and the Declaration signed in Kuala Lumpur on 27 November 1971;

Convinced that the settlement of differences or disputes between their countries should be regulated by rational, effective and sufficiently flexible procedures, avoiding negative attitudes which might endanger or hinder cooperation;

Believing in the need for cooperation with all peace-loving nations, both within and outside Southeast Asia, in the furtherance of world peace, stability and harmony;

Solemnly agree to enter into a Treaty of Amity and Cooperation as follows:

CHAPTER I. PURPOSE AND PRINCIPLES

Article 1. The purpose of this Treaty is to promote perpetual peace, everlasting amity and cooperation among their peoples which would contribute to their strength, solidarity and closer relationship.

Article 2. In their relations with one another, the High Contracting Parties shall be guided by the following fundamental principles:

- a. Mutual respect for the independence, sovereignty, equality, territorial integrity and national identity of all nations;
- b. The right of every State to lead its national existence free from external interference, subversion or coercion;
- c. Non-interference in the internal affairs on one another;

¹ Came into force in respect of the following States on 15 July 1976, the date of deposit with the Government of the Philippines of the fifth instrument of ratification, in accordance with article 19. The instruments of ratification were deposited as follows:

<i>State</i>	<i>Date of deposit of the instrument of ratification</i>
Philippines	8 April 1976
Singapore	28 April 1976
Thailand	2 June 1976
Malaysia	1 July 1976
Indonesia	15 July 1976

- d. Settlement of differences or disputes by peaceful means;
- e. Renunciation of the threat or use of force;
- f. Effective cooperation among themselves.

CHAPTER II. AMITY

Article 3. In pursuance of the purpose of this Treaty the High Contracting Parties shall endeavour to develop and strengthen the traditional, cultural and historical ties of friendship, good neighbourliness and cooperation which bind them together and shall fulfill in good faith the obligations assumed under this Treaty. In order to promote closer understanding among them, the High Contracting Parties shall encourage and facilitate contact and intercourse among their peoples.

CHAPTER III. COOPERATION

Article 4. The High Contracting Parties shall promote active cooperation in the economic, social, cultural, technical, scientific and administrative fields as well as in matters of common ideals and aspirations of international peace and stability in the region and all other matters of common interest.

Article 5. Pursuant to Article 4 the High Contracting Parties shall exert their maximum efforts multilaterally as well as bilaterally on the basis of equality, non-discrimination and mutual benefit.

Article 6. The High Contracting Parties shall collaborate for the acceleration of the economic growth in the region in order to strengthen the foundation for a prosperous and peaceful community of nations in Southeast Asia. To this end, they shall promote the greater utilization of their agriculture and industries, the expansion of their trade and the improvement of their economic infrastructure for the mutual benefit of their peoples. In this regard, they shall continue to explore all avenues for close and beneficial cooperation with other States as well as international and regional organizations outside the region.

Article 7. The High Contracting Parties, in order to achieve social justice and to raise the standard of living of the peoples of the region, shall intensify economic cooperation. For this purpose, they shall adopt appropriate regional strategies for economic development and mutual assistance.

Article 8. The High Contracting Parties shall strive to achieve the closest cooperation on the widest scale and shall seek to provide assistance to one another in the form of training and research facilities in the social, cultural, technical, scientific and administrative fields.

Article 9. The High Contracting Parties shall endeavour to foster cooperation in the furtherance of the cause of peace, harmony and stability in the region. To this end, the High Contracting Parties shall maintain regular contacts and consultations with one another on international and regional matters with a view to coordinating their views, actions and policies.

Article 10. Each High Contracting Party shall not in any manner or form participate in any activity which shall constitute a threat to the political and economic stability, sovereignty, or territorial integrity of another High Contracting Party.

Article 11. The High Contracting Parties shall endeavour to strengthen their respective national resilience in their political, economic, socio-cultural as well as security fields in conformity with their respective ideals and aspirations, free from external interference as well as internal subversive activities in order to preserve their respective national identities.

Article 12. The High Contracting Parties, in their efforts to achieve regional prosperity and security, shall endeavour to cooperate in all fields for the promotion of regional resilience, based on the principles of self-confidence, self-reliance, mutual respect, cooperation and solidarity which will constitute the foundation for a strong and viable community of nations in Southeast Asia.

CHAPTER IV. PACIFIC SETTLEMENT OF DISPUTES

Article 13. The High Contracting Parties shall have the determination and good faith to prevent disputes from arising. In case disputes on matters directly affecting them should arise, especially disputes likely to disturb regional peace and harmony, they shall refrain from the threat or use of force and shall at all times settle such disputes among themselves through friendly negotiations.

Article 14. To settle disputes through regional processes, the High Contracting Parties shall constitute, as a continuing body, a High Council comprising a Representative at ministerial level from each of the High Contracting Parties to take cognizance of the existence of disputes or situations likely to disturb regional peace and harmony.

Article 15. In the event no solution is reached through direct negotiations, the High Council shall take cognizance of the dispute or the situation and shall recommend to the parties in dispute appropriate means of settlement such as good offices, mediation, inquiry or conciliation. The High Council may however offer its good offices, or upon agreement of the parties in dispute, constitute itself into a committee of mediation, inquiry or conciliation. When deemed necessary, the High Council shall recommend appropriate measures for the prevention of a deterioration of the dispute or the situation.

Article 16. The foregoing provisions of this Chapter shall not apply to a dispute unless all the parties to the dispute agree to their application to that dispute. However, this shall not preclude the other High Contracting Parties not party to the dispute from offering all possible assistance to settle the said dispute. Parties to the dispute should be well disposed towards such offer of assistance.

Article 17. Nothing in this Treaty shall preclude recourse to the modes of peaceful settlement contained in Article 33 (1) of the Charter of the United Nations. The High Contracting Parties which are parties to a dispute should be encouraged to take initiatives to solve it by friendly negotiations before resorting to the other procedures provided for in the Charter of the United Nations.

CHAPTER V. GENERAL PROVISIONS

Article 18. This Treaty shall be signed by the Republic of Indonesia, Malaysia, the Republic of the Philippines, the Republic of Singapore, and the

Kingdom of Thailand. It shall be ratified in accordance with the constitutional procedures of each signatory State.

It shall be open for accession by other States in Southeast Asia.

Article 19. This Treaty shall enter into force on the date of the deposit of the fifth instrument of ratification with the Governments of the signatory States which are designated Depositories of this Treaty and of the instruments of ratification or accession.

Article 20. This Treaty is drawn up in the official languages of the High Contracting Parties, all of which are equally authoritative. There shall be an agreed common translation of the texts in the English language. Any divergent interpretation of the common text shall be settled by negotiation.

IN FAITH THEREOF the High Contracting Parties have signed the Treaty and have hereto affixed their Seals.

DONE in Denpasar, Bali, on the twenty-fourth day of February in the year one thousand nine hundred and seventy-six.

For the Republic of Indonesia:

[Signed]
SOEHARTO
President

For Malaysia:

[Signed]
DATUK HUSSEIN ONN
Prime Minister

For the Republic of the Philippines:

[Signed]
FERDINAND E. MARCOS
President

For the Republic of Singapore:

[Signed]
LEE KUAN YEW
Prime Minister

For the Kingdom of Thailand:

[Signed]
KUKRIT PRAMOJ
Prime Minister
