

TREATY OF AMITY AND COOPERATION  
IN SOUTHEAST ASIA

P R E A M B L E

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 of one another;
- 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  
A M I T Y

*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 fulfil 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  
C O O P E R A T I O N

*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 infra-structure 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 organisations outside the region.

*Article 7*

The High Contracting Parties, in order to achieve social justice and to raise the standards 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 offers 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.

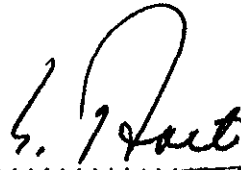
IN FAITH THEREOF the High Contracting Parties have signed the Treaty and have hereto affixed their Seals.

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

Untuk Republik Indonesia  
Bagi Pihak Republik Indonesia  
Para sa Republika ng Indonesya

สำหรับสาธารณรัฐอินโดนีเซีย

For the Republic of Indonesia

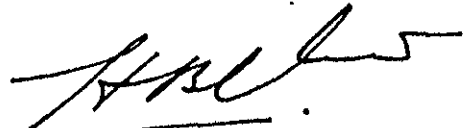


Soeharto,  
President

Untuk Malaysia  
Bagi Pihak Malaysia  
Para sa Malaysia

สำหรับมาเลเซีย

For Malaysia



Datuk Hussein Onn,  
Prime Minister

Untuk Republik Pilipina  
Bagi Pihak Republik Filipina  
Para sa Republika ng Pilipinas

สำหรับสาธารณรัฐฟิลิปปินส์

For the Republic of the Philippines



Ferdinand E. Marcos,  
President

Untuk Republik Singapura  
Bagi Pihak Republik Singapura  
Para sa Republika ng Singapore

สำหรับสาธารณรัฐสิงคโปร์

For the Republic of Singapore



Lee Kuan Yew,  
Prime Minister

Untuk Kerajaan Thailand  
Bagi Pihak Thailand  
Para sa Kaharian ng Thailand

สำหรับราชอาณาจักรไทย

For the Kingdom of Thailand



Kukrit Pramoj,  
Prime Minister

PROTOCOL AMENDING THE TREATY OF AMITY  
AND COOPERATION IN SOUTHEAST ASIA

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THE GOVERNMENT OF BRUNEI DARUSSALAM  
THE GOVERNMENT OF THE REPUBLIC OF INDONESIA  
THE GOVERNMENT OF MALAYSIA  
THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES  
THE GOVERNMENT OF THE REPUBLIC OF SINGAPORE, AND  
THE GOVERNMENT OF THE KINGDOM OF THAILAND

DESIRING to further enhance cooperation with all peace-loving nations, both within and outside Southeast Asia and, in particular, neighbouring States of the Southeast Asia region;

CONSIDERING Paragraph 5 of the Preamble of the Treaty of Amity and Cooperation in Southeast Asia, done at Denpasar, Bali, on 24 February 1976 (hereinafter referred to as the Treaty of Amity), which refers to the need for cooperation with all peace-loving nations, both within and outside Southeast Asia, in the furtherance of world peace, stability and harmony;

HEREBY AGREE TO THE FOLLOWING:



### Article 1

Article 18 of the Treaty of Amity shall be amended to read as follows:-

"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.

States outside Southeast Asia may also accede to this Treaty by the consent of all the States in Southeast Asia which are signatories to this Treaty and Brunei Darussalam."

### Article 2

Article 14 of the Treaty of Amity shall be amended to read as follows:-

"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.

However, this article shall apply to any of the States outside Southeast Asia which have acceded to the Treaty only in cases where that State is directly involved in the dispute to be settled through the regional processes."

### Article 3

This Protocol shall be subject to ratification and shall come into force on the date the last instrument of ratification of the High Contracting Parties is deposited.

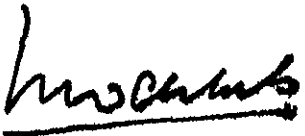
Done at Manila, the fifteenth day of December in the year one thousand nine hundred and eighty-seven.

For Brunei Darussalam:




H.R.H. PRINCE MOHAMED BOLKIAH  
Minister for Foreign Affairs

For the Republic of Indonesia:




DR. MOCHTAR KUSUMA-ATMADJA  
Minister of Foreign Affairs

For Malaysia:



DATO HAJI ABU HASSAN HAJI OMAR  
Minister of Foreign Affairs

For the Republic of the Philippines:



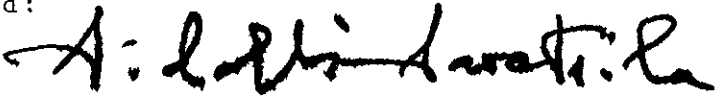
RAUL S. MANGLAPIS  
Secretary of Foreign Affairs

For the Republic of Singapore:

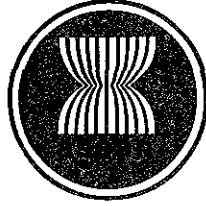


S. DHANABALAN  
Minister for Foreign Affairs

For the Kingdom of Thailand:



AIR CHIEF MARSHAL SIDDHI SAVETSILA  
Minister of Foreign Affairs



## **SECOND PROTOCOL AMENDING THE TREATY OF AMITY AND COOPERATION IN SOUTHEAST ASIA**

The Government of Brunei Darussalam  
The Government of the Kingdom of Cambodia  
The Government of the Republic of Indonesia  
The Government of the Lao People's Democratic Republic  
The Government of Malaysia  
The Government of the Union of Myanmar  
The Government of the Republic of the Philippines  
The Government of the Republic of Singapore  
The Government of the Kingdom of Thailand  
The Government of the Socialist Republic of Vietnam  
The Government of Papua New Guinea

Hereinafter referred to as the High Contracting Parties:

**DESIRING** to ensure that there is appropriate enhancement of cooperation with all peace-loving nations, both within and outside Southeast Asia and, in particular, neighboring States of the Southeast Asia region;

**CONSIDERING** Paragraph 5 of the preamble of the Treaty of Amity and Cooperation in Southeast Asia, done at Denpasar, Bali, on 24 February 1976 (hereinafter referred to as the Treaty of Amity) which refers to the need for cooperation with all peace-loving nations, both within and outside Southeast Asia, in the furtherance of world peace, stability and harmony.

**HEREBY AGREE TO THE FOLLOWING:**

### **Article I**

Article 18, Paragraph 3, of the Treaty of Amity shall be amended to read as follows:

"States outside Southeast Asia may also accede to this Treaty with the consent of all the States in Southeast Asia, namely, Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People's Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Vietnam."

### **Article 2**

This Protocol shall be subject to ratification and shall come into force on the date the last instrument of ratification of the High Contracting Parties is deposited.

**DONE** at Manila, the twenty-fifth day of July in the year one thousand nine hundred and ninety-eight.

For Brunei Darussalam:



**PRINCE MOHAMED BOLKIAH**  
Minister of Foreign Affairs

For the Union of Myanmar:



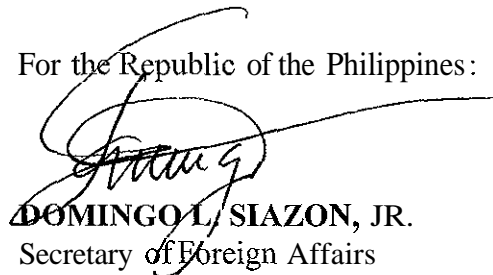
**U OHNGYAW**  
Minister for Foreign Affairs

For the Kingdom of Cambodia:



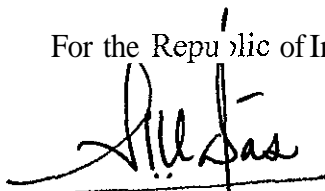
**CHEM WIDHYA**  
Special Envoy of the  
Royal Government of Cambodia

For the Republic of the Philippines:



**DOMINGO L. SIAZON, JR.**  
Secretary of Foreign Affairs

For the Republic of Indonesia:



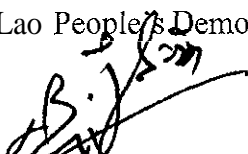
**ALI ALATAS**  
Minister for Foreign Affairs

For the Republic of Singapore:



**S JAYAKUMAR**  
Minister for Foreign Affairs

For the Lao People's Democratic Republic:



**SOMSAVAT LENGSAVAD**  
Deputy Prime Minister and  
Minister of Foreign Affairs

For the Kingdom of Thailand:



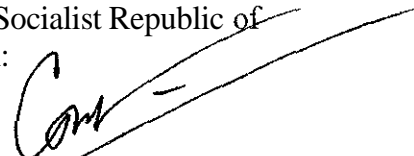
**SURIN PITSUWAN**  
Minister of Foreign Affairs

For Malaysia:



**DATUK SERI ABDULLAH  
HAJI AHMAD BADAWI**  
Minister of Foreign Affairs

For the Socialist Republic of  
Vietnam:



**NGUYEN MANH CAM**  
Deputy Prime Minister and  
Minister of Foreign Affairs

For Papua New Guinea:



**ROY YAKI**  
Minister of Foreign Affairs



## **THIRD PROTOCOL AMENDING THE TREATY OF AMITY AND COOPERATION IN SOUTHEAST ASIA**

Brunei Darussalam  
The Kingdom of Cambodia  
The Republic of Indonesia  
The Lao People's Democratic Republic  
Malaysia  
The Union of Myanmar  
The Republic of the Philippines  
The Republic of Singapore  
The Kingdom of Thailand  
The Socialist Republic of Viet Nam  
The Commonwealth of Australia  
The People's Republic of Bangladesh  
The People's Republic of China  
The Democratic People's Republic of Korea  
The French Republic  
The Republic of India  
Japan  
Mongolia  
New Zealand  
The Islamic Republic of Pakistan  
Papua New Guinea  
The Republic of Korea  
The Russian Federation  
The Democratic Socialist Republic of Sri Lanka  
The Democratic Republic of Timor-Leste  
The Republic of Turkey  
The United States of America

Hereinafter referred to as the High Contracting Parties:

**DESIRING** to ensure that there is appropriate enhancement of cooperation with all peace-loving nations both within and outside Southeast Asia, in particular, neighbouring States of the Southeast Asian region, as well as with regional organisations whose members are only sovereign States;

**CONSIDERING** Paragraph 5 of the preamble of the Treaty of Amity and Cooperation in Southeast Asia, done at Denpasar, Bali, on 24 February 1976 (hereinafter referred to as the Treaty of Amity) which refers to the need for cooperation with all peace-loving nations, both within and outside Southeast Asia, in the furtherance of world peace, stability and harmony;

**HEREBY AGREE TO THE FOLLOWING:**

#### **ARTICLE 1**

Article 18, Paragraph 3, of the Treaty of Amity shall be amended to read as follows:

“This Treaty shall be open for accession by States outside Southeast Asia and regional organisations whose members are only sovereign States subject to the consent of all the States in Southeast Asia, namely, Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, the Lao People’s Democratic Republic, Malaysia, the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand and the Socialist Republic of Viet Nam.”

#### **ARTICLE 2**

Article 14, Paragraph 2, of the Treaty of Amity shall be amended to read as follows:

“However, this article shall apply to any of the High Contracting Parties outside Southeast Asia only in cases where that High Contracting Party is directly involved in the dispute to be settled through the regional processes.”

### ARTICLE 3

This Protocol shall be subject to ratification and shall come into force on the date the last instrument of ratification of the High Contracting Parties is deposited.

**DONE** at Ha Noi, Viet Nam, on the Twenty-Third Day of July in the Year Two Thousand and Ten, in a single copy in the English language.

For Brunei Darussalam:



**MOHAMED BOLKIAH**  
Minister of Foreign Affairs and Trade

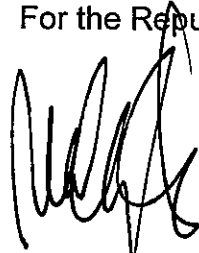
For the Kingdom of Cambodia:



**HOR NAMHONG**  
Deputy Prime Minister and  
Minister of Foreign Affairs and International Cooperation

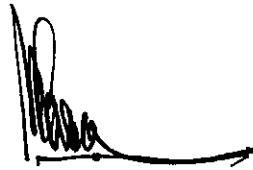


For the Republic of Indonesia:



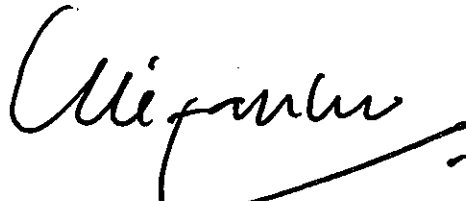
**DR. R.M. MARTY M. NATALEGAWA**  
Minister for Foreign Affairs

For the Lao People's Democratic Republic:



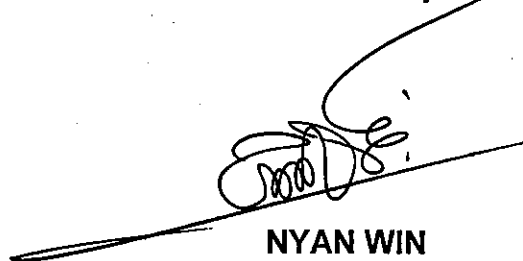
**DR. THONGLOUN SISOULITH**  
Deputy Prime Minister and Minister of Foreign Affairs

For Malaysia:



**DATO' SRI ANIFAH AMAN**  
Minister of Foreign Affairs of Malaysia

For the Union of Myanmar:



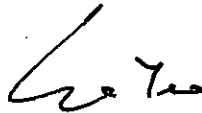
**NYAN WIN**  
Minister for Foreign Affairs

For the Republic of the Philippines:



**ERLINDA F. BASILIO**  
Undersecretary of Foreign Affairs

For the Republic of Singapore:



**GEORGE YONG-BOON YEO**  
Minister for Foreign Affairs

For the Kingdom of Thailand:



**KASIT PIROMYA**  
Minister of Foreign Affairs

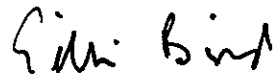
For the Socialist Republic of Viet Nam:



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**DR. PHAM GIA KHIEM**  
Deputy Prime Minister and Minister for Foreign Affairs

For the Commonwealth of Australia:



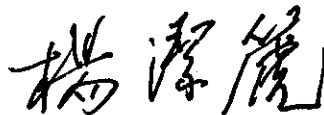
**GILLIAN BIRD**  
Ambassador to ASEAN

For the People's Republic of Bangladesh:



**DIPU MONI NAWAZ**  
Minister of Foreign Affairs

For the People's Republic of China:



**YANG JIECHI**  
Minister of Foreign Affairs

For the Democratic People's Republic of Korea:



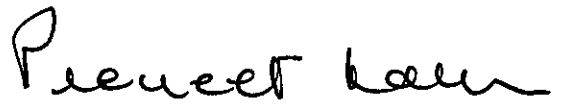
**PAK UI-CHUN**  
Minister of Foreign Affairs

For the French Republic:



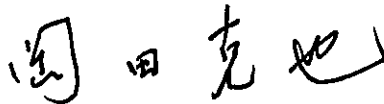
**JEAN-FRANÇOIS GIRAULT**  
Ambassador Extraordinary and Plenipotentiary to Viet Nam

For the Republic of India:



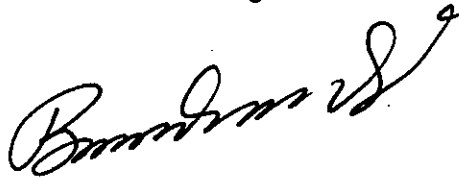
**PRENEET KAUR**  
Minister of State for External Affairs

For Japan:




**KATSUYA OKADA**  
Minister for Foreign Affairs

For Mongolia:



**ZANDANSHATAR GOMBOJAV**  
Minister for Foreign Affairs and Trade

For New Zealand:



**MURRAY McCULLY**  
Minister of Foreign Affairs

For the Islamic Republic of Pakistan:



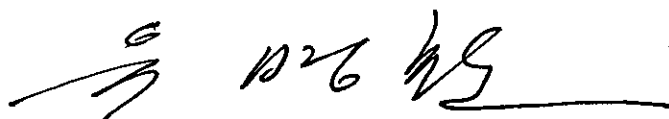
**MAKHDOOM SHAH MAHMOOD QURESHI**  
Minister of Foreign Affairs

For Papua New Guinea:



**CHRISTOPHER S. MERO**  
Special Envoy of the Minister for Foreign Affairs, Trade and  
Immigration

For the Republic of Korea:



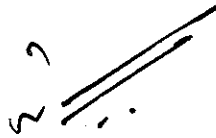
**YU MYUNG-HWAN**  
Minister of Foreign Affairs and Trade

For the Russian Federation:



**SERGEY LAVROV**  
Minister of Foreign Affairs

For the Democratic Socialist Republic of Sri Lanka:



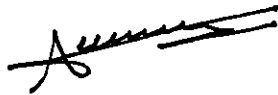
**GITANJANA GUNAWARDENA**  
Deputy Minister of External Affairs

For the Democratic Republic of Timor-Leste:



**ZACARIAS ALBANO DA COSTA**  
Minister for Foreign Affairs

For the Republic of Turkey:



**AHMET DAVUTOĞLU**  
Minister of Foreign Affairs

For the United States of America:

A handwritten signature in black ink that reads "Hillary Rodham Clinton". The signature is written in a cursive style with a large initial 'H' and a long, sweeping tail on the 'n'.

**HILLARY RODHAM CLINTON**  
Secretary of State