

# ASIA-PACIFIC INTEREST GROUP NEWSLETTER

## Welcome Message from APIG Co-Chairs

Dear APIG Colleagues,

Welcome to the September 2023 edition of the APIG newsletter! We're thrilled to introduce the inaugural episode of the APIG Podcast, alongside updates on regional developments spanning various topics. We're in the midst of planning collaborative events with other interest groups, and we eagerly anticipate sharing more details with you shortly.

Additionally, we'd like to acknowledge Erie Matthew for his dedication and leadership as co-chairs, whose tenure as co-chair concluded in March this year. Since then, Yueming Yan has stepped in and will be serving in the co-chair capacity for the forthcoming three years.

Thank you for your continued engagement with APIG!

Warm regards,

Manjiao Chi & Yueming Yan, APIG Co-Chairs

## Editor's Note

In this edition of the ASIL Asia-Pacific Interest Group Newsletter, we examine a number of key issues in international law arising in the Asia-Pacific region. The feature is based on our new podcast series *International Law in the Asia-Pacific Today*. In our inaugural episode by Sarah Lee (attorney at Debevoise & Plimpton LLP in New York), we explore the effects of sea level rise and the response of international law, particularly in relation to maritime boundaries and human mobility. The full podcast episode can be accessed on the group's page at [asil.org/APIG](https://asil.org/APIG).

The remainder of the newsletter covers regional updates across a range of topical issues, including the New Zealand's trade dispute with Canada under the Trans-Pacific Partnership, the ASEAN-China negotiation of a Code of Conduct in the South China Sea, and more.

We look forward to bringing you many more exciting podcast episodes in future issues. We welcome feedback as always and look forward to any contributions you may wish to offer.

Chiann Bao, Arbitration Chambers

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## Feature: Expert Perspectives on Sea Level Rise and International Law

**Podcast interview by Sarah Lee (attorney at Debevoise & Plimpton LLP in New York) for International Law in the Asia-Pacific Today**

In its sixth assessment report in 2022, the Intergovernmental Panel on Climate Change found that, between now and as early as 2040, continued and accelerating sea level rise will encroach on coastal settlements and infrastructure and commit low-lying coastal ecosystems to submergence and loss. The effects of sea level rise raise key international law and policy questions, particularly in relation to maritime boundaries and human mobility. To address these questions, we have the pleasure of interviewing Professor David Freestone and Duygu Çiçek, the co-authors of the seminal World Bank report titled *Legal Dimensions of Sea Level Rise: Pacific Perspectives* (2021) (the “**World Bank Report**”).

Professor David Freestone is Professorial Lecturer and Visiting Scholar at George Washington University Law School in Washington D.C. He is the Co-rapporteur of the International Law Association Committee on International Law and Sea Level Rise and the founding Editor in Chief of the International Journal of Marine and Coastal Law. For 12 years, he served at the World Bank as Chief Counsel of the environment and international law practice group and retired as Deputy General Counsel/Senior Adviser. Most recently, he co-authored the books *International Law and Sea Level Rise* (Brill, 2019) with Davor Vidas and Jane McAdam; *Conserving Biodiversity in Areas beyond National Jurisdiction* (Ed., Brill, 2019); and *Sustainable Development and International Environmental Law* (ed., Edward Elgar, 2018). In 2008, he was awarded the Elizabeth Haub Gold Medal for Environmental Law.

Duygu Çiçek has been working at the World Bank, Environment & International Law Practice Group since November 2018. She provides legal and policy advice on environmental, social, and international law issues pertaining to World Bank projects and legal support to the World Bank’s climate change agenda. She also serves as a member of the International Law and Sea Level Rise Committee of the International Law Association, where she contributes to the Committee’s mandate on international law issues prompted by the mid- and longer-term impacts of sea level rise.

To listen to the full discussion, please listen to the full podcast episode, accessible at [asil.org/APIG](https://asil.org/APIG).

**One key consequence of sea level rise is that it is going to impact physical coastlines. Under international law, coast lines are important to determine maritime delimitation and maritime entitlement. If you see landward movement of these ‘normal’ baselines, does it mean that the maritime boundaries and the entitlements would also move landward and that they would shrink, or would they stay the way that they are now?**

**Professor David Freestone:** Under the laws of the sea, codified in the 1982 Law of the Sea Convention, coastal states can claim a suite of zones. They claim territorial sea, contiguous zone and exclusive economic zone, and those are all measured from the coastal baseline, and indeed even the continental shelf, which is a geographical concept measured in some circumstances from that baseline. The baseline is therefore crucial for the measurement of all those zones.

If the baselines change – the classic case is that they move seaward, although they can also move outwards – the traditional view has been that these baselines are what is called ‘ambulatory’, meaning that they move in accordance with the physical reality of the coast. This was not really disputed by international lawyers in the past. However, we are now in a different era facing the phenomenon of major sea level rise.

In 2019, the leaders of the South Pacific countries and territories issued a declaration on the stability of maritime boundaries, where they put forward the proposal that the systems of maritime entitlements should be stabilised, and specifically, that they should remain where they are, notwithstanding changes in the physical geography. There isn’t actually anything in the 1982 Convention that says that is incorrect, so it is an interesting grey area.

In 2019, the International Law Commission (the “**ILC**”) took onto their active work program the issue of sea level rise in relation to international law. Their first report supported this position on the grounds of certainty and stability. The ILC report was discussed in the UN Sixth Committee, where states have an opportunity to voice their views. Over the last two years, almost every state



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has indicated their views that the principle should be stability and certainty of maritime baselines and boundaries. One of the hold-out states was the US, which was quite adhered to the principle of ambulatory baselines. At the UN Sixth Committee at the end of last year, the US issued a statement that they would support the stability of maritime boundary – albeit with some qualifications. So there has really been quite a phenomenal change in state practice in relation to this issue.

**What are the implications of this change in state practice under international law? Will it have any weight in how states interpret treaties or how they will deal with maritime disputes going forward?**

**Professor David Freestone:** Absolutely, I think it will. The change in state practice is quite a ‘sea change’ – it is important and has interesting implications. For the sake of making the argument, let’s say that two states are 400 miles apart, and they each lose 10 miles. According to the ambulatory baselines principles, there would then be a 20 mile zone of high seas between them at the outer edge of the 200 mile zone. However, from now on, states will instead recognise the existing boundaries. This is one obvious implication. The other is that, when we move forward into the century and some states begin to lose so much territory that even their existence is threatened, it seems that there is a presumption that the maritime zones they have claimed will remain the same. That can be quite important because many of the countries, particularly South Pacific countries, are called ‘small island states’ but are large ocean states – they have huge exclusive economic zones and they depend on those for much of their economic wellbeing. These entitlements will remain the same, even if baselines change.

**Another example of how sea level rise leads to international law questions is when it affects an island’s ability to sustain human population or economic activity, those being the factors that define an ‘island’ under UNCLOS. In this scenario, would an island potentially no longer qualify as such because of sea level rise, or would we adopt the stability-favouring approach and preserve its status and entitlement as an island?**

**Professor David Freestone:** This is an extremely important question. Under Article 121 of the Law of the Sea

Convention, to be classified as an island, an area’s insular feature has to be capable of sustaining human habitation and an economic life of its own. There has been a lot of argument about this over the years amongst lawyers. In the *South China Sea* case, the Tribunal said, in relation to the island-building activities of China, that merely by building a structure above the water on reefs or a feature that was not an island, one did not make it an island. Conversely, looking backwards at how to determine whether something is an island or not, they said – to make it rather simple – once it is an island, it continues as an island. So that seems to be one of the implications, but the Tribunal was not asked to address this particular issue. If you take that position, then if those features are going to retain their maritime zones, the same argument about the maintenance of maritime zones of stability and certainty can be applied in regards to the maintenance of their status as islands, upon which the existence of the state itself might depend. I think both are right, and they are absolutely both linked, but there isn’t a lot of litigation on this as it is a completely new issue.

**Turning to the human aspect of sea level rise and the potential human mobility that may result, for example, because a territory becomes uninhabitable from being entirely or partly submerged or can no longer withstand a threshold level of food crops or life, the World Bank Report describes the applicable legal regime as ‘fragmented’. Why is this legal regime fragmented – are there gaps in the existing frameworks that need to be filled or better implementation needed of existing instruments?**

**Duygu Çiçek:** International law does provide frameworks for addressing human mobility in this context, but it is fragmented. One aspect of this fragmentation relates to the fact that there are different terminologies used to describe different movement patterns. In our report, we use the umbrella term ‘human mobility’ to refer to three different forms of population movement. The first one, displacement, is generally understood as the primarily forced movement of persons. Migration, on the other hand, is generally used to refer to the voluntary movement of persons. The third category, planned relocation, refers to the planned process of settling persons to a new location. Then, there is the differentiation between internal and cross-border movement. Depending on which

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general category people fall into, they may be subject to different legal regimes. In practice, people may be moving for different reasons or combinations of various reasons, and this may make it extremely difficult to provide clear cut categorisations. This all adds additional layers of complexity and fragmentation.

There is a further fragmentation issue relating to the fact that human mobility in the context of climate change is a cross-cutting issue. Movement in the context of climate change may trigger multiple international law regimes including human rights law, humanitarian law, refugee law, climate change law, disaster law, amongst various others. These regimes do not necessarily work in perfect harmony. The number and diversity of relevant legal regimes presents a coordination and compartmentalisation issue.

Additionally, there are various gaps in international law that still remain to be addressed. For example, in the context of cross border displacement and international protection, there is growing recognition that disasters and conflict cannot always be neatly siloed as completely separate drivers of refugee flow, and those drivers may in fact co-exist. Even though this growing recognition is encouraging, more guidance in the space would be helpful in the application and enhancement of this policy landscape.

International cooperation is also important to mention as it can play a very important role in addressing issues concerning human mobility, but this area also requires further granularity. For instance, the scope of duty to cooperate under international law still requires further clarification.

Another gap that we can highlight is loss and damage under the climate regime. The Warsaw Mechanism on Loss and Damage was established as part of the UNFCCC regime. Article 8 of the Paris Agreement in a way provided the Warsaw Mechanism with a permanent legal basis, but its obligations are only of a cooperative and facilitative nature without clear legal and financial obligations associated with them. There is also no universal definition of 'loss and damage' and much work remains to be done on this front, including on how to quantify loss and damage, especially with regards to the slow onset impacts of climate change.

The Pacific region, in particular, can offer a lot of practice and experience for other regions facing similar challenges

of displacement in the context of disasters and climate change. Some of the issues that I listed here are among the areas of focus for the ongoing work of both the International Law Association Committee and the ILC Study Group. Hopefully, the work of these two bodies will contribute to the further clarification, or even development, of relevant norms in these areas in the future.

***Focusing on the Asia Pacific region, have you seen any new frameworks or initiatives on solutions addressing issues of human mobility?***

**Duygu Çiçek:** I would like to highlight some key developments at the international level, before providing some regional examples. At the international level, it is worth mentioning that the New York Declaration for Refugees and Migrants, and following from it, the two global compacts, one on migration and the other on refugees, were adopted under the auspices of the UN in 2018. Another key development that happened at the UNFCCC level is the Task Force on Displacement. This Task Force issued a set of recommendations, primarily to facilitate orderly, safe, regular and responsible migration and mobility, that also urged countries to consider the needs of migrants and displaced persons and highlighted that it will be crucial to enhance opportunities for regular migration pathways including through labour mobility. COP24 was significant in the sense that it endorsed these recommendations and invited the countries to consider them, which was a crucial step for the recognition of human mobility in the context of climate change under the UNFCCC regime. These frameworks recognised the need for cross-sectoral and coordinated action to address the diverse and region-specific challenges of human mobility.

Another key development is the UN Human Rights Committee decision which primarily concerns the Pacific region but will have broader implications in the future for other regions as well. This concerned an application from a citizen of Kiribati which alleged that New Zealand had violated his right to life under the International Covenant on Social and Political Rights by denying his asylum application and forcibly returning him to Kiribati, where he claimed he would face risks to his life because of the impacts of sea level rise. In January 2020, the Human Rights Committee disagreed that this risk was 'immi-

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ment', but expressly recognised the potential risk of loss of life due to sea level rise. This was really important and many people have raised that this will likely open the door to climate change asylum claims in the future.

Going back to the Pacific region, given the climate change vulnerabilities shared in the region and the urgency of the issues, many states have taken proactive leadership roles in integrating climate resilience and mobility in both global and regional dialogues. As we wrote in our World Bank Report, there is already some movement in many places in the Pacific due to climate reasons or inhabitability of certain areas. These are mostly internal, but there is also cross-border movement. Some states have already started relocating communities from coastlines. Pacific Islanders repeatedly highlight that moving to other countries is a last resort for them, but at the same time, human mobility in the context of climate change is a reality for the region. Accordingly, this is reflected and continues to be reflected in both regional and national frameworks.

An example of regional frameworks is the Framework for Resilient Development in the Pacific, which offers an overarching approach to strengthen resilience to climate change and disaster risk management, and calls for Pacific countries to integrate mobility aspects into national policies and actions.

It worth mentioning that, in the Pacific, there is a highly textured migration landscape, so there are existing mechanisms, and these are grouped around some past historical association or other shared characteristics under which certain states may be afforded privileged rights of entry and stay. Even though these are not necessarily readily available to be implemented in the context of climate change-related movements, they may also offer potential entry points to enable states to respond to mobility which is linked to climate change. Moving forward, it will be really crucial to review existing domestic laws, policies and strategies to determine to what extent they allow lasting solutions for migrants and displaced persons and, accordingly, to revise or complement those existing regimes to address the gaps.

To give a couple of examples of national frameworks, Vanuatu is one of the first countries to develop a policy on internal displacement from disasters and climate

change. Its 2018 policy addresses both displacement and disaster in an integrated matter and within the country's broader mobility context.

Another example is Fiji, which has both displacement guidelines and planned relocation guidelines. Fiji's displacement guidelines view environmental change, human rights, and mobility as inter-related issues. They primarily focus on preventive measures, and also outline measures for the government and other stakeholders to engage in three stages of displacement, namely pre-displacement, in-displacement, and post-displacement stages. They also highlight that the decision to move should be initiated by affected communities or individuals. Fiji's planned relocation guidelines aim to provide a blueprint for engaging communities and ensuring coordination amongst relevant agencies which may be involved in the process. There is also the Climate Relocation and Displaced Peoples Trust Fund for Communities and Infrastructure. It is important to highlight that these guidelines define relocation as a matter of last resort, but also as part of adaptation strategies in relation to disasters and slow onset events that occur in Fiji.

***Do you have any observations on the developments that have happened since the publication of your World Bank Report in 2021, for example COP27?***

**Professor David Freestone:** COP27 has been very important in relation to loss and damage, which is a key issue for many of the small island states. We call sea level rise a 'slow impact event', but it does not just result in water levels rising, it also means that storm surges are much greater and that their effects are much more extreme. The ability to provide some sort of protection against extreme events is part of the loss and damage argument.

**Duygu Çiçek:** Indeed, loss and damage has been a contentious issue over the years and this is certainly not the first time it has been raised. It has been a proposal put forward by small island states for decades now, but only in COP27 has there been a decision which references a loss and damage fund and financing arrangements. We still do not know what this is actually going to look like, but the expectation is that there will be more clarity in the next COP, and it will be especially important to understand how it will be operationalised and where it will be situated in the UNFCCC architecture. ■



## Regional Updates

### Australia

#### **Australia-India Economic Cooperation and Trade Agreement came into force on 29 December 2022**

In the first 6 months of Australia's Free Trade Agreement with India, Australian businesses have benefitted from lower tariffs on more than \$12 billion worth in exports.

For more information, visit: <https://www.dfat.gov.au/trade/agreements/in-force/australia-india-ecta>; [https://www.trademinister.gov.au/minister/don-farrell/media-release/australian-exporters-grow-and-diversify-india?gl=1\\*27491v\\*ga\\*MTMyNTQ5MDk1MS4xNjgwOTAxNTE2\\*ga\\_8Z18QMOG8V\\*MTY5NDM3Mzc2OC42LjEuMTY5NDM3MzgwNS42MC4wLjA](https://www.trademinister.gov.au/minister/don-farrell/media-release/australian-exporters-grow-and-diversify-india?gl=1*27491v*ga*MTMyNTQ5MDk1MS4xNjgwOTAxNTE2*ga_8Z18QMOG8V*MTY5NDM3Mzc2OC42LjEuMTY5NDM3MzgwNS42MC4wLjA)

#### **Upgrade to Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA)**

On 21 August 2023, Assistant Foreign Minister Tim Watts signed the Second Protocol to Amend the Agreement Establishing the AANZFTA.

Under the upgrade, AANZFTA will include additional commitments on services and investment that will benefit Australian exporters and investors. It will also strengthen supply chain resilience and digital technology adoption. The agreement will also include key commitments on sustainable and inclusive trade, facilitating enhanced cooperation on environmental protection, green economy, labour issues, and women's economic empowerment.

For more information, visit: [https://www.trademinister.gov.au/minister/don-farrell/media-release/deepening-economic-ties-our-asean-partners?gl=1\\*fm3vl8\\*ga\\*MTMyNTQ5MDk1MS4xNjgwOTAxNTE2\\*ga\\_8Z18QMOG8V\\*MTY5NDM3Mzc2OC42LjEuMTY5NDM3Mzc2OS4yOS4wLjA](https://www.trademinister.gov.au/minister/don-farrell/media-release/deepening-economic-ties-our-asean-partners?gl=1*fm3vl8*ga*MTMyNTQ5MDk1MS4xNjgwOTAxNTE2*ga_8Z18QMOG8V*MTY5NDM3Mzc2OC42LjEuMTY5NDM3Mzc2OS4yOS4wLjA)

### New Zealand

#### **Panel decision on New Zealand's trade dispute against Canada in growing dairy backlash under the Trans-Pacific Partnership Agreement**

On 12 May 2022, New Zealand initiated a formal trade dispute against Canada, accusing the Trudeau government of breaking its promises on dairy imports under the Trans-Pacific Partnership (TPP) agreement.

The Panel's Report was released on 6 September 2023. It agreed with New Zealand on two of its complaints, finding that New Zealand exporters were unable to fully tap into Canada's dairy quotas and that Canada was providing priority access to domestic dairy processors. The panel ordered Canada to adjust its dairy tariff rate quota measures to align with CPTPP obligations. It rejected two other complaints by New Zealand.

The Panel's Report is available here: <https://www.mfat.govt.nz/assets/Trade-General/WTO-Disputes/Canada-Dairy/Final-Report-of-the-Panel.pdf>

#### **New Zealand and the EU reaffirm their strong relationship**

On 24 February 2023, the EU and New Zealand reaffirmed their strong relationship at a meeting of the Joint Committee under their Partnership Agreement on Relations and Cooperation (PARC) in Wellington, New Zealand. The PARC has been a keystone of the New Zealand and EU relationship since its signature in 2016. This is the first Joint Committee meeting since the Agreement officially entered into force in 2022.

For more information, visit: [https://www.eeas.europa.eu/delegations/aotearoa-new-zealand/new-zealand-joint-committee-european-union-takes-place-0\\_en](https://www.eeas.europa.eu/delegations/aotearoa-new-zealand/new-zealand-joint-committee-european-union-takes-place-0_en)

### Afghanistan

#### **International Criminal Court seeks to continue war crimes and crimes against humanity investigations in Afghanistan**

On 31 October 2022, the International Criminal Court's Pre-Trial Chamber authorized the Prosecutor to resume an investigation into "all alleged crimes and actors" identified by the Office of the Prosecutor (OTP) in its 2017 request to open an investigation. This decision follows a series of legal challenges and a lengthy review by the Pre-Trial Chamber, which concluded that there is a reasonable basis to proceed with an investigation. The investigation is expected to focus on alleged crimes committed in Afghanistan, including by the Taliban, Afghan government forces, and international forces, including those of the

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US. The allegations include war crimes, crimes against humanity, and genocide.

For more information, visit: <https://www.icc-cpi.int/news/icc-judges-authorise-prosecution-resume-investigation-afghanistan>

### Afghanistan and Iran clash over Water Dispute

The Helmand River, which meanders through Afghanistan and Iran, has caused a dispute between the Taliban and Iran. The Taliban asserts it complies with a 1973 treaty requiring Afghanistan to share water with Iran. However, Iran claims that the Taliban needs to deliver more quantities of water. The dispute has led to tensions between the two nations, including a fatal border guard clash on May 27, 2023.

For further information, refer to: <https://www.rferl.org/a/iran-taliban-water-dispute-/32435442.html>

### Afghanistan accepted into China's Belt & Road Initiative

China and Pakistan have agreed to extend the Belt and Road Initiative (BRI) into Afghanistan, which could generate billions of dollars for infrastructure projects in the sanctions-afflicted nation. The agreement was concluded on May 28, 2023, in Islamabad.

For further information, refer to: <https://www.silkroad-briefing.com/news/2023/05/29/afghanistan-accepted-into-chinas-belt-road-initiative/>

### Afghanistan and Kazakhstan signs \$200 Million in Contracts

Kazakhstan has signed contracts with the Taliban Government in Afghanistan worth \$200 million. During a business forum held in Astana on August 2 and 3, 2023, Kazakhstan primarily agreed to export cereals and flour to Afghanistan.

For further information, refer to: <https://eurasianet.org/kazakhstan-signs-200-million-in-contracts-with-afghanistan>

## Mainland China

### The Asia-Pacific Economic Cooperation (APEC) launches online dispute resolution (ODR) platform at China International Economic and Trade Arbitration Commission (CIETAC)

The APEC ODR mechanism is an APEC-sponsored initiative to provide quick, inexpensive ODR service for resolving B2B cross-border disputes of low value in the Asia-Pacific region. CIETAC has been officially recognized by APEC as one of the three ODR service providers listed on its official website. Providing APEC ODR service through its ODR platform marks a new step of CIETAC for the promotion of dispute resolution in the era of digital economy.

For more information, visit: <http://www.cietac.org/index.php?m=Article&a=show&id=18411&l=en>

### China pushes for the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) membership

China is advancing the process of joining the CPTPP, and has submitted documents for its accession to the pact. On 17 June 2023, Wang Shouwen, vice minister of the Ministry of Commerce (MOFCOM), said at the Asia-Pacific Economic Cooperation China CEO Forum that China has the willingness and capability to join the CPTPP. It has conducted in-depth and comprehensive research and evaluation on more than 2,300 articles of the CPTPP, and sorted out the reform measures, laws and regulations that need modification for its accession.

For more information, visit:

<https://www.globaltimes.cn/page/202306/1292794.shtml>

## Taiwan

### Taiwan and the US unveil new trade initiative after Taiwan was excluded from the Indo-Pacific Economic Framework for Prosperity

The US-Taiwan Initiative on 21st Century Trade marks the official launch of trade negotiations between the US and



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Taiwan. The initiative covers 11 key areas, including “*trade facilitation, regulatory practices, agriculture, anti-corruption, supporting small and medium sized enterprises, digital trade, labor rights, the environment, standards, state owned enterprises and non-market practices and policies.*” The launch of the initiative will run parallel to Taiwan’s continuous efforts in joining the Indo-Pacific Economic Framework for Prosperity.

For more information, visit: <https://www.cnn.com/2022/06/01/politics/us-taiwan-new-trade-initiative/index.html>

### Japan

#### Japan and the EU sign new agreement on air services

On 20 February 2023, Japan and the EU signed the Agreement on Bilateral Agreements between Japan and the Member States of the EU for Air Services. The Agreement will give all EU air carriers non-discriminatory access to routes between the EU and Japan. In addition, together with the Japan-EU Bilateral Aviation Safety Agreement that entered into force in 2021, this Agreement aims to further strengthen Japan-EU cooperation in the aviation field.

For more information, visit: [https://www.mofa.go.jp/press/release/press4e\\_003217.html](https://www.mofa.go.jp/press/release/press4e_003217.html)

#### Entry into force of the Framework Agreement between Japan and the United States of America for Cooperation in the Exploration and Use of Outer Space

On 19 June 2023, the US and Japan exchanged diplomatic notes for the entry into force of “the Framework Agreement between Japan and the U.S. for Cooperation in the Exploration and Use of Outer Space.” It is expected that Japan-U.S. space cooperation will further deepen based on the Agreement.

For more information, visit: [https://www.mofa.go.jp/press/release/press5e\\_000017.html](https://www.mofa.go.jp/press/release/press5e_000017.html)

#### Japan signs Protocol on Accession of the UK to the CPTPP

In July 2023, Japan signed the Protocol on the accession of the UK to the CPTPP. The UK’s accession to the CPTPP will contribute to further promotion of free trade, open and competitive markets, the rules-based trading system, and economic integration.

For more information, visit: [https://www.mofa.go.jp/press/release/press4e\\_003285.html](https://www.mofa.go.jp/press/release/press4e_003285.html)

### Korea

#### Korea and US upgrade their bilateral alliance

On 24 May 2022, the Republic of Korea and the US agreed to upgrade the bilateral alliance of their countries to a ‘global comprehensive strategic alliance’. Korea and the US will jointly respond to challenges like the denuclearization of North Korea under the global comprehensive strategic alliance.

For more information, visit: [https://www.mofa.go.kr/eng/brd/m\\_5674/view.do?seq=320723](https://www.mofa.go.kr/eng/brd/m_5674/view.do?seq=320723)

#### Agreement on Economic Cooperation between Korea and Sri Lanka came into effect on 15 March 2023

For more information, visit: [https://www.mofa.go.kr/eng/brd/m\\_5676/view.do?seq=322162&page=2](https://www.mofa.go.kr/eng/brd/m_5676/view.do?seq=322162&page=2)

### Hong Kong

#### Application of the UN Convention on Contracts for the International Sale of Goods to the Hong Kong Special Administrative Region

China submitted a declaration extending the territorial applicability the UN Convention on Contracts for the International Sale of Goods (CISG) to Hong Kong Special Administrative Region. The CISG became effective in Hong Kong on 1 December 2022.





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The full text of the UN' statement is available here: <https://uncitral.un.org/en/news/china-deposits-declaration-territorial-application-united-nations-convention-contracts>.

### **AEM-Hong Kong, China Consultation announces finalisation of the First Protocol to Amend ASEAN Hong-Kong China Free Trade Agreement (AHKFTA)**

On 20 August 2023, the Secretary-General of ASEAN, Dr. Kao Kim Hourn, attended the 7th AEM-HKC Consultation. The Meeting welcomed the finalisation of the First Protocol to Amend the ASEAN-Hong Kong, China Free Trade Agreement (AHKFTA) and looked forward to the signing of the Protocol as soon as possible. The Meeting also noted the substantial conclusion of the negotiations on the Schedules of Reservations under the work programme of the ASEAN-HK Investment Agreement (AHKIA).

For more information, visit: <https://asean.org/aem-hong-kong-china-consultation-announces-finalisation-of-the-first-protocol-to-amend-asean-hong-kong-china-free-trade-agreement-ahkfta/>

## Singapore

### **Singapore International Commercial Court launches its model clause**

On 12 January 2023, the Singapore International Commercial Court (SICC) launched the model clause of the SICC under the auspices of the Singapore International Arbitration Act, giving parties the choice to choose the SICC as their chosen court. With this launch, the SICC has taken a step towards solidifying its position as a reputable and viable choice for dispute resolution in the international arena.

The full text of the Model Clause is available here: [https://www.sicc.gov.sg/docs/default-source/guide-to-the-sicc/sicc-siac-media-release\\_launch-of-the-jurisdiction-model-clause-\(final\).pdf](https://www.sicc.gov.sg/docs/default-source/guide-to-the-sicc/sicc-siac-media-release_launch-of-the-jurisdiction-model-clause-(final).pdf)

### **Negotiations initiated for Modernised UK-Singapore Bilateral Investment Treaty**

On 29 March 2023, Singapore and the United Kingdom initiated negotiations for a modernised UK-Singapore Bilateral Investment Treaty, following a virtual meeting between Minister-in-charge of Trade Relations S. Iswaran and UK Secretary of State for Business and Trade Kemi Badenoch. This significant development marks a renewed commitment between the two nations to enhance investment protection and promotion, building upon their already robust legal and economic ties.

The full text of the announcement by the Ministry of Trade and Industry is available here: <https://www.mti.gov.sg/Newsroom/Press-Releases/2023/03/Singapore-and-the-United-Kingdom-launch-negotiations-on-a-new-and-modern-Bilateral-Investment-Treaty>

### **Strengthening of Economic Ties between Singapore and Kazakhstan through landmark Services and Investment Agreement**

On 22 May 2023, the signing of the Agreement on Trade in Services and Investment marked a pivotal moment in Singapore-Kazakhstan relations. Minister for Manpower and Second Minister for Trade and Industry, Tan See Leng, and Kazakhstan's Deputy Prime Minister and Minister of Trade and Integration, Serik Zhumangarin, inked the agreement in the presence of Singapore President Halimah Yacob and Kazakhstan President Kassym-Jomart Tokayev. The accord, endorsed during President Halimah's state visit to Kazakhstan, signifies strengthening bilateral economic cooperation, augmenting the multifaceted trade landscape between the two nations.

The full text of the announcement by the Ministry of Trade and Industry is available here: <https://www.mti.gov.sg/Newsroom/Press-Releases/2023/05/Singapore-and-Kazakhstan-enhance-Economic-Cooperation-with-Services-and-Investment-Agreement>.

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### Bangladesh

#### IMF approves Bangladesh's Request

On 30 January 2023, the Executive Board of the IMF approved 42-month Extended Credit Facility (ECF)/Extended Fund Facility (EFF) arrangements of SDR 2.5 billion (equivalent to 231.4 percent of quota or about US\$3.3 billion) and a concurrent RSF arrangement of SDR 1 billion (equivalent to 93.8 percent of quota or about US\$1.4 billion). The RSF is being implemented in Asia for the first time in Bangladesh. After the ECF/EFF arrangements are approved, SDR 352.35 million may be disbursed (equivalent to around US\$476 million).

For more information, see: <https://www.imf.org/en/News/Articles/2023/01/30/pr2325-bangladesh-imf-executive-board-approves-usd-ecf-eff-and-usd-under-rsf>

#### Bangladesh and Bhutan sign an Agreement on Transit

On March 22, 2023, Bangladesh and Bhutan signed an agreement to facilitate bilateral trade between the two nations. The “Agreement on Movement of Traffic-in-Transit and Protocol” enables Bhutan to use Bangladesh’s air, railways, river ports, land ports, and sea ports to transport products.

For further information, refer to: <https://www.dhaka-tribune.com/bangladesh/foreign-affairs/307322/bangladesh-bhutan-sign-agreement-on-transit>

#### Bangladesh becomes party to the Minamata Convention on Mercury (MCM)

Bangladesh became the 141st nation to ratify the Minamata Convention on Mercury (MCM) on April 18, 2023. The MCM seeks to safeguard human health and the environment from mercury pollution. It mandates that nations reduce mercury emissions and releases, such as phasing out mercury use in products and processes and managing mercury refuse.

For further information, refer to: <https://www.tbsnews.net/bangladesh/bangladesh-becomes-party-minamata-convention-mercury-619422>

#### Bangladesh and Hong Kong SAR sign a Comprehensive Double Taxation Agreement (CDTA) to boost economic ties

On August 30, 2023, Bangladesh and Hong Kong SAR signed a Comprehensive Avoidance of Double Taxation Agreement (CDTA). The CDTA is anticipated to strengthen economic ties between Bangladesh and Hong Kong SAR by establishing a framework for averting double taxation and preventing tax evasion. It will also facilitate corporate investment and commerce between the two nations.

For further information, refer to: [https://mofa.gov.bd/site/press\\_release/6cea556e-77c0-47d2-a6e7-57e127a28cf8](https://mofa.gov.bd/site/press_release/6cea556e-77c0-47d2-a6e7-57e127a28cf8)

### India

#### India and the US agree to resolve WTO dispute bilaterally

At the 13th Trade Policy Forum (TPF) ministerial talks held in Washington DC on 13 January 2023, India and the US decided to build on their trust to create resilient supply chains, resolve their trade disputes at the WTO through bilateral mechanisms, expand market access for each other’s products, and intensify their engagement through quarterly meetings of specific trade-related working groups.

For more information, visit: <https://www.hindustantimes.com/india-news/india-and-us-agree-to-focus-on-resilient-trade-resolving-wto-disputes-bilaterally-101673549671422.html>

#### India elected to UN Statistical Commission and other UN Subsidiary Bodies

India was elected to the UN Statistical Commission on April 6, 2023 and will serve a four-year term.

For further information, refer to: <https://timesofindia.indiatimes.com/india/india-elected-to-un-statistical-commission-for-four-year-period/articleshow/99292363.cms?from=mdr>



## Regional Updates —continued from page 10

### India and Nepal sign Seven Agreements, including a 10-year Power Trade Deal

On June 1, 2023, India and Nepal signed a long-term power trade agreement. India will import 10,000 MW of electricity from Nepal over the next ten years per the agreement. Seven other contracts were also signed, including a project development agreement for the 669 MW Lower Arun Hydro Project and a 1992 India-Nepal Transit Treaty renewal.

India and Nepal also agreed to expand the Motihari-Amlekhgunj petroleum pipeline and build a new pipeline between Siliguri and Jhapa in eastern Nepal. The two nations also agreed to construct a fertilizer plant together in Nepal. They signed a Memorandum of Understanding (MoU) between the Institute of Foreign Affairs and the Sushma Swaraj Institute of Foreign Service.

For further information, refer to: <https://theprint.in/diplomacy/modi-prachanda-announce-10-year-power-trade-deal-between-india-nepal-sign-7-agreements/1606337/>

### Bangladesh, India, Nepal near 'milestone' electricity trade deal

On June 15, 2023 India, Nepal, and Bangladesh finalized the draft of a tripartite power trade agreement, a landmark agreement that aims to forge greater energy connectivity across the region. The deal permits Bangladesh to import hydroelectricity from Nepal via India's grid. This is a significant development because it will assist Bangladesh in addressing its endemic electricity shortages and reducing its reliance on fossil fuels. It is also a significant boon for Nepal, which has sought to export its surplus hydroelectricity. It is anticipated that the agreement will be signed soon, and it could pave the way for further energy cooperation between the three countries.

For further information, refer to: <https://asia.nikkei.com/Politics/International-relations/Bangladesh-India-Nepal-near-milestone-electricity-trade-deal>

### India and US resolve six Trade Disputes

On June 22, 2023, the United States and India settled six trade disputes at the World Trade Organization, including

a dispute over former President Donald Trump's tariffs on steel and aluminium and India's retaliatory duties. India has consented to remove retaliatory tariffs on certain U.S. products, including chickpeas, lentils, almonds, walnuts, pears, boric acid, and diagnostic reagents, that it imposed in response to Trump's Section 232 of the 1962 Trade Expansion Act tariffs on steel and aluminium imports. The two countries also agreed to terminate four other WTO disputes. The agreements are viewed as a positive step toward enhancing the United States and India's commercial ties.

For further information, refer to: <https://www.politico.com/news/2023/06/22/u-s-india-resolve-trade-disputes-launch-new-beginning-00103269>

### India ties up with UAE to settle Trade in Indian Rupees

On July 15, 2023 India and the United Arab Emirates signed an Agreement to resolve trade in Indian Rupees rather than dollars. This will reduce India's transaction costs and increase its exports. In addition, the two nations have decided to establish a real-time payment link to facilitate easier international money transfers. These agreements are anticipated further to strengthen India's and the UAE's economic connections.

For further information, refer to: <https://www.reuters.com/world/india-ties-up-with-uae-settle-trade-rupees-2023-07-15/>

### Maldives

#### Maldives bolsters economic ties with Cambodia with six agreements

On 16 January 2023, Maldives signed six agreements with Cambodia on bilateral Consultations, Economic Cooperation, Health Cooperation and Tourism Cooperation.

For more information, visit: <https://edition.mv/news/26834>

## Regional Updates —continued from page 11

### **UN Maritime Tribunal ruling on border dispute between Maldives and Mauritius**

The International Tribunal for the Law of the Sea (ITLOS) of the United Nations, on April 28, 2023, ruled on a maritime boundary dispute between Mauritius and the Maldives, effectively dividing approximately 37,000 square miles of ocean territory between the two nations.

The dispute arose after ITLOS ruled in 2019 that the UK unlawfully occupied the Chagos Islands, which Mauritius claims as part of its territory. Mauritius requested that the ITLOS establish a new maritime boundary with the Maldives.

ITLOS, in its new ruling, declared that the Maldives would receive a slightly more significant portion of the disputed area, with a ratio of 1:0.960 in favor of the Maldives.

For more information, refer to: <https://www.itlos.org/en/main/cases/list-of-cases/dispute-concerning-delimitation-of-the-maritime-boundary-between-mauritius-and-maldives-in-the-indian-ocean-mauritius/maldives/>

### **Maldives signs with Malaysia a Double Tax Avoidance Agreement**

Maldives and Malaysia signed a Double Tax Avoidance Agreement (DTAA) on May 24, 2023, to eliminate the possibility of double taxation and clarify each country's taxation rights.

The DTAA is anticipated to strengthen economic ties between the two nations by promoting trade and investment. It will also aid in preventing tax evasion and encouraging openness. This is the third DTAA signed by the Maldives, demonstrating its commitment to international cooperation and facilitating cross-border trade and investment.

For more information, refer to: <https://raajje.mv/136011>

### **Maldives signs a Small-and-Medium Enterprise (SME) Impact Fund Agreement with Saudi Arabia**

The Maldives and Saudi Arabia signed a USD 40 million agreement, on May 16, 2023, to establish a Small-and-

Medium Enterprise (SME) Impact Fund. The fund will provide financial and technical assistance to minor enterprises in the Maldives to promote economic expansion and employment creation.

For more information, refer to: <https://edition.mv/news/27889>

## Nepal

### **Nepal and China sign agreement under China's Belt and Road Initiative**

On 13 September 2022, Nepal and China inked a six-point agreement to strengthen governance, legislative, and supervisory cooperation under China's Belt and Road Initiative (BRI). The nations committed to exchange legislative, supervisory, and governance information. The two Parliaments' Agreement includes China's BRI. The BRI between Nepal and China showed no progress since it was signed in 2017. Therefore, the fifth point of the Agreement focuses on the two government's commitment to prioritize and enhance bilateral ties, mutual benefits, and obligations, including via the BRI.

For more information, visit: <https://www.thestatesman.com/world/nepal-china-sign-a-six-point-agreement-under-beijings-belt-and-road-initiative-bri-1503110587.html>

### **Nepal elected as a member to United Nations Economic and Social Council (ECOSOC)**

On June 08, 2023 Nepal was been elected as a member to a three-year term in January 2024 to the United Nations Economic and Social Council (ECOSOC).

In its press release, Nepal's Permanent Representative to the United Nations stated that Nepal would prioritize recalibrating the leading role of ECOSOC in steering and coordinating the work of the United Nations development system and specialized agencies to implement the Sustainable Development Goals (SDGs) and the Doha Programme of Action for Least Developed Countries (LDCs).

For more details see: <https://mofa.gov.np/press-release-nepals-election-to-the-united-nations-economic-and-social-council/>





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### Pakistan

#### Arbitration commences on Indus Water Treaty Dispute

On 17 August 2022, the World Bank announced the initiation of two separate proceedings in response to Pakistan's complaints that India is violating the Indus Water Treaty (IWT) by building two hydroelectric projects on the western rivers. In accordance with its obligations under the IWT, the World Bank has made the appointments sought by India and Pakistan for the Kishenganga and Ratle hydroelectric power facilities. India proposed the establishment of a 'Neutral Expert', whilst Pakistan opted for a Court of Arbitration. According to the World Bank, Michel Lino has been selected as the Neutral Expert and Professor Sean Murphy has been appointed as the Chairperson of the Court of Arbitration. The Permanent Court of Arbitration in the Hague commenced the first hearing of a dispute between Pakistan and India on 27 January 2023.

For more information, visit: <https://tribune.com.pk/story/2382166/wb-steps-in-to-mediate-indo-pak-water-dispute>; <https://tribune.com.pk/story/2397955/arbitration-court-holds-first-iwt-hearing>

#### Pakistan and Barrick Gold reach out-of-court settlement on the Reko Diq

Since 2011, Barrick Gold has been at odds with Pakistan regarding the validity of their licencing procedure. In 2021, the Government of Pakistan began discussions with Barrick Gold to resolve the Reko Diq conflict. On 17 July 2019, a World Bank tribunal of ICSID concluded that Pakistan had broken the Pakistan-Australia Bilateral Investment Treaty and awarded Tethyan Copper Company Limited \$6 billion, plus interest, against Pakistan (TCC) which is jointly owned by Barrick Gold PLC of Canada (Barrick) and Antofagasta PLC of Chile. According to the tribunal's decision, Pakistan illegally refused the TCC a lease to exploit copper and gold reserves at the Reko Diq mine. On 15 December 2022, the Governments of Pakistan and Balochistan, Barrick Gold, and Antofagasta PLC signed a final agreement, announcing the reconstitution of the Reko Diq project and the settlement of a \$11 billion dispute.

For more information, visit: <https://www.geo.tv/latest/458835-govt-signs-deal-to-settle-11bn-reko-diq-dispute>

#### Pakistan and Russia sign deal to boost economic cooperation

Pakistan and Russia signed a bilateral trade agreement on May 20, 2023, to facilitate and lower the costs of bilateral commerce. The protocol significantly reduces customs duties for Pakistani goods accessing the Russian market. It also includes administrative cooperation and the exchange of information within the framework of the Eurasian Economic Union's unified Tariff Preferences.

For further information, refer to: <https://www.dawn.com/news/1754513>

#### Pakistan and the United States of America sign a new Five Year Bilateral Assistance Agreement

On 07 June, 2023, Pakistan and the USA signed a new five-year agreement on development cooperation, including adaptation to climate change, renewable energy, sustainable economic development, inclusive democratic governance, education, and health security.

For further information, refer to: <https://pk.usembassy.gov/joint-statement-on-new-five-year-bilateral-assistance-agreement/>

#### Pakistan, Azerbaijan sign Agreement to Boost Bilateral Trade Relations

Pakistan and Azerbaijan signed a Memorandum of Understanding (MoU) on June 15, 2023, establishing a framework for nurturing closer collaboration between Azerbaijan and Pakistan to promote bilateral trade.

Under the terms of the agreement, the two nations will work together to establish favorable conditions for bilateral trade by exchanging trade information, coordinating events, conducting research to identify exportable products, and fostering economic cooperation. To this end, both nations agreed to coordinate their efforts to conclude a preferential trade agreement by the beginning of August 2023.

For further information, refer to: <https://www.app.com.pk/business/pakistan-azerbaijan-sign-agreement-to-boost-bilateral-trade-relations/>

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### **International Monetary Fund (IMF) approves a \$3 billion Stand-by Arrangement for Pakistan**

On July 12, 2023, the IMF approved a \$3 billion Stand-By Arrangement for Pakistan to support its economic stabilization program. The program aims to address the country's large fiscal and external deficits, rising inflation, and dwindling reserve buffers. The ratification of the Executive Board permits the immediate disbursement of US\$1.2 billion. The remaining quantity will be allocated gradually over the initiative, subject to two quarterly evaluations.

For further information refer to: <https://www.imf.org/en/News/Articles/2023/07/12/pr23261-pakistan-imf-exec-board-approves-us3bil-sba>

### **Pakistan and China sign six key Agreements on the 10th Anniversary of China-Pakistan Economic Corridor (CPEC)**

On July 31, 2023, commemorating the 10th anniversary of the China-Pakistan Economic Corridor (CPEC), Pakistan and China signed six agreements to enhance bilateral cooperation, including infrastructure, energy, agriculture, and information technology.

For further information, refer to: <https://www.arabnews.com/node/2347171/pakistan>

## **Sri Lanka**

### **Sri Lanka Secures \$3 Billion International Monetary Fund (IMF) Loan to kickstart economic recovery**

The IMF granted Sri Lanka a 48-month extension under the Extended Fund Facility (EFF) on 20 March 2023. The approximately \$3 billion loan is intended to assist the country in restoring macroeconomic stability and debt sustainability, mitigate the economic impact on the impoverished and vulnerable, preserve the financial sector's strength, and enhance governance and growth potential.

Under the EFF-supported program, Sri Lanka must implement several reforms, including ambitious revenue-based fiscal consolidation, strengthening social safety nets, debt restructuring, disinflation, maintaining a sound and adequately capitalized financial system, and combating corruption.

For further information refer to: <https://www.imf.org/en/News/Articles/2023/03/20/pr2379-imf-executive-board-approves-under-the-new-eff-arrangement-for-sri-lanka>

### **Sri Lanka aims for Regional Comprehensive Economic Partnership (RCEP) Membership and Free-Trade Agreements with ASEAN**

On August 08, 2023, Sri Lanka announced its intention to join the Regional Comprehensive Economic Partnership (RCEP) and to enter into Free Trade Agreements (FTAs) with ASEAN member states after debt restructuring is complete. These are positive developments for the nation.

The RCEP membership will assist Sri Lanka in increasing regional exports, attracting foreign investment, and generating employment. It will also facilitate Sri Lanka's integration into the global economy. In addition to joining the RCEP, the FTAs with ASEAN countries will strengthen Sri Lanka's economic connections with the region and allow the nation to capitalize on the expanding economic opportunities in Southeast Asia.

For further information refer to: <https://pmd.gov.lk/news/sri-lanka-aims-for-rcep-membership-and-free-trade-agreements-with-asean/>

### **Sri Lanka to assume Chairmanship of Indian Ocean Rim Association (IORA)**

On 06 September 2023, Sri Lanka announced that it would assume the chairmanship of the IORA for the period 2023 and 2025, with Executive Director General Prof. Sudharshan Seneviratne, a former Sri Lankan High Commissioner to Bangladesh, leading the Secretariat for Sri Lanka's IORA Presidency. It is the second time Sri Lanka will hold the chairmanship, having served in 2003-2004.

IORA is a regional intergovernmental forum that draws together 23 Indian Ocean littoral states. The association's primary objectives are to promote regional economic integration, increase trade and investment, facilitate sustainable development, and strengthen maritime safety and security. Sri Lanka has selected "Strengthening Regional Architecture: Reinforcing Indian Ocean Identity" as the theme for its chairmanship. Foreign Ministers and

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Senior Officials are anticipated to attend the IORA Council of Ministers and Committee of Senior Officials meetings in Colombo, Sri Lanka, in October 2023.

For further information refer to: <https://mfa.gov.lk/iora-2023-2025/>

### Indonesia

#### 8th Ministerial Meeting of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime

On 9 to 10 February 2023, the Indonesian Foreign Minister Retno Marsudi and the Australian Foreign Minister Penny Wong co-chaired the 8th Ministerial Meeting of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (8th BPMC) in Adelaide, Australia. The meeting approved two final documents: the Ministerial Co-Chairs' Statement and the 2023 Adelaide Strategy for Cooperation. Several elements of Indonesia's interests were successfully encouraged in the agreements, including attention to women victims and children, broader socialisation efforts through online communication strategies, and strengthening cooperation with ASEAN.

For more information, visit: <https://kemlu.go.id/portal/en/read/4425/berita/foreign-minister-retno-chairs-bali-process-meeting-emphasizes-importance-responsiveness-and-role-of-technology-in-counterering-human-trafficking>

#### ASEAN Foreign Ministers' Meeting

On 4 February 2023, Foreign Ministers of all ASEAN member states, except Myanmar attended the ASEAN Foreign Ministers Retreat in Jakarta. The meeting discussed the implementation of the ASEAN Outlook on the Indo Pacific, including identifying concrete projects with ASEAN partners, strengthening ASEAN partnerships with Pacific countries, and developing the ASEAN Maritime Outlook. The Ministers expressed their support for Indonesia's implementation of the ASEAN-Indo-Pacific Forum.

For more information, visit: <https://kemlu.go.id/portal/en/read/4402/berita/foreign-minister-retno-marsudi-chairs-asean-foreign-ministers-meeting-in-jakarta>

#### Indonesia assumes 2023 ASEAN Chairmanship

Indonesia's ASEAN Chairmanship period began on 1 January 2023 and will last for a year until 31 December 2023. The theme of the ASEAN Chairmanship 2023 is 'ASEAN Matters: Epicentrum of Growth', which brings the message of directing ASEAN cooperation in 2023 to continue and strengthen ASEAN's relevance in responding to regional and global challenges, and strengthen ASEAN's position as the epicentre of regional economic growth, for the prosperity of the people of ASEAN.

For more information, visit: <https://kemlu.go.id/portal/en/read/4388/berita/president-joko-widodo-launches-indonesias-2023-asean-chairmanship>

#### Indonesia accepts MIKTA Chairmanship from Türkiye

On 2 March 2023, Indonesia received the handover of the MIKTA (Mexico, Indonesia, South Korea, Turkey, Australia) chairmanship from Türkiye at the MIKTA meeting in New Delhi, India. With the handover, Indonesia will be the chair of MIKTA for the following year 2024.

For more information, visit: <https://kemlu.go.id/portal/en/read/4507/berita/indonesia-accepts-mikta-chairmanship-from-turkey>

#### Indonesia supports Timor-Leste's Membership in ASEAN

On 9 to 11 May 2023, the Prime Minister of Timor-Leste, Taur Matan Ruak, attended the 42nd ASEAN Summit 2023 in Labuan Bajo with observer status. The attendance is significant because it is the first time in history and reaffirms Indonesia's commitment to encourage Timor-Leste to join as an ASEAN member.

For more information, visit: <https://kemlu.go.id/portal/en/read/4675/berita/indonesia-supports-timor-lestes-membership-in-asean>

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### WTO Dispute Settlement Body Establishes Panel on Indonesia-EU Trade Dispute over Indonesian Steel Products

On 30 May 2023, at the regular meeting of the WTO's Dispute Settlement Body (DSB), the DSB formally established a panel on Indonesia's trade dispute with the European Union over the European Union's imposition of countervailing duties and anti-dumping duties on Indonesian steel products (DS616: European Union - Countervailing and Anti-Dumping Duties on Stainless Steel Cold-Rolled Flat Products from Indonesia).

For more information, visit: <https://kemlu.go.id/portal/en/read/4810/berita/wto-dispute-settlement-body-establishes-panel-on-indonesia-eu-trade-dispute-over-indonesian-steel-products>

### Indonesia to host the 29th Asia-Pacific Space Experts Meeting in 2023

Indonesia will host the 29th international meeting of space experts in the Asia-Pacific region. The meeting will be held in Jakarta from 19 - 22 September 2023. The space experts from the Asia-Pacific region will discuss the theme "Accelerating Space Economies through Regional Partnership."

For more information, visit: <https://kemlu.go.id/portal/en/read/4820/berita/indonesia-to-host-the-asia-pacific-space-experts-meeting-this-year>

### Indonesia-Kazakhstan bilateral relations elevated with Astana and Nusantara forging Sister City Cooperation

On 3 July 2023, the cities of Astana and Nusantara established their first sister-city cooperation between the capital of Kazakhstan and the Capital of Nusantara. The Head of Nusantara Capital Authority, Mr. Bambang Susantono, and the Governor of Astana Capital, Mr. Zhenis Kassymbek, officially signed the Memorandum of Understanding (MoU) for the State Capital Initiative.

For more information, visit: <https://kemlu.go.id/portal/en/read/4901/berita/30-years-of-indonesia-kazakhstan-bilateral-relations-astana-and-nusantara-forge-sister-city-cooperation-in-historic-first>

### Indonesia initiated the acceleration of the process of negotiating a Code of Conduct (COC) in the South China Sea between all ASEAN countries and China

On 1 September 2023, Indonesia's initiative to accelerate the process of negotiating a code of conduct (COC) in the South China Sea was successfully agreed upon by all ASEAN countries and China. The guidelines, the first in history, summarise ASEAN-China's aspirations to complete the COC in 3 years or less, through intensive discussion of pending issues and other proposed working methods to make negotiations faster and more effective.

For more information, visit: <https://kemlu.go.id/portal/en/read/5153/berita/indonesias-initiative-accelerates-south-china-sea-code-of-conduct-negotiations>

## Malaysia

### Malaysia joins the Comprehensive and Progressive Agreement for Trans-Pacific Partnership

On 30 September 2022, Malaysia ratified the Comprehensive and Progressive Agreement for the Trans-Pacific Partnership (CPTPP), becoming the ninth out of eleven countries to ratify the agreement.

For more information, visit: <https://www.fas.usda.gov/data/malaysia-malaysia-ratification-cptpp>;

<https://www.aseanbriefing.com/news/malaysias-ratification-of-cptpp-to-help-increase-trade/>

### Malaysia and the EU ink Partnership and Cooperation Agreement

On 14 December 2022, Malaysia and the EU signed a Partnership and Cooperation Agreement (PCA). The PCA provides an overarching strategic political framework, complementing and further strengthening the long-standing partnership and cooperation between Malaysia and the EU. The PCA will enter into force once it has been ratified by Malaysia and the EU Member States.

For more information, visit: <https://www.kln.gov.my/web/guest/-/malaysia-and-the-european-union-inked-the-partnership-and-cooperation-agreement-14-december-2022-brussels-belgium>

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### **Malaysia And The United Arab Emirates (UAE) to launch negotiations for a Comprehensive Economic Partnership Agreement (CEPA)**

On 23 May 2023, YB Senator Tengku Datuk Seri Utama Zafrul Aziz, Minister of Investment, Trade and Industry, Malaysia and His Excellency Dr. Thani bin Ahmad Al Zeyoudi, Minister of State for Foreign Trade, United Arab Emirates (UAE), jointly agreed to launch negotiations on establishing a Comprehensive Economic Partnership Agreement (CEPA) between Malaysia and the UAE (Malaysia-UAE CEPA).

### **Malaysian Ministry of Investment, Trade and Industry (MITI) launches the Malaysia Aerospace Centre of Excellence (MyAERO Centre)**

On 23 May 2023, the Deputy Minister of Investment, Trade and Industry, YB Liew Chin Tong today launched the MyAERO Centre under National Aerospace Industry Corporation Malaysia (NAICO Malaysia) and AS9100 Certification by SIRIM QAS International. The newly established agency, NAICO Malaysia will facilitate industry collaborations in aerospace talent development, supply chain and Research & Technology (R&T) through the establishment of MyAERO Centre that will become the catalyst to further enhance Malaysia's competencies at the global level. MyAERO Centre will also be positioned as the main place for depository of knowledge in the areas of talent development, supply chain and R&T.

For more information, visit: <https://www.miti.gov.my/index.php/announcements/view/331>

## Philippines

### **AICHR Philippines Holds 4th ASEAN Dialogue on the UN Convention on the Rights of the Child in Manila**

On 22 to 23 June 2023, the ASEAN Intergovernmental Commission on Human Rights (AICHR) Philippines, in cooperation with the UNICEF East Asia and Pacific Regional Office (UNICEF EAPRO) and Child Rights Coalition Asia (CRC Asia) conducted the ASEAN Dialogue on the United Nations Convention on the Rights of the Child (UNCRC) in Manila, Philippines. The Dialogue

focused on the UNCRC General Comment No. 25 on children's rights in relation to the digital environment.

For more information, visit: <https://dfa.gov.ph/dfa-news/dfa-releasesupdate/32875-aichr-philippines-holds-4th-asean-dialogue-on-the-un-convention-on-the-rights-of-the-child-in-manila>

### **Philippines-Iraq 8th Joint Commission Meeting**

On 30 August 2023, the Philippines and Iraq convened the 8th Joint Commission Meeting (JCM) in Manila on 30 August 2023 at the Manila Diamond Hotel after a 10-year gap. The 7th Philippines-Iraq JCM was hosted by the Iraqi side in Baghdad back in 2013.

For more information, visit: <https://dfa.gov.ph/dfa-news/dfa-releasesupdate/33237-philippines-iraq-convene-8th-joint-commission-meeting-in-manila-after-10-years>

## Cambodia

### **Cambodia-Japan relations to be upgraded to Comprehensive Strategic Partnership in 2023**

On 6 December 2022, Cambodia released a press statement announcing that the bilateral relations between Cambodia and Japan will be upgraded to Comprehensive Strategic Partnership in 2023, the commemorative year of the 70th anniversary of diplomatic relations.

For more information, visit: <https://www.mfaic.gov.kh/posts/2022-12-06-Press-Release-Cambodia--Japan-Appreciate-Relations-to-be-Upgraded-to-Comprehensive-Strategic-Partnership-in-2023--17-28-15>

### **Cambodia and China co-signing the Agreement on the Cooperation on Projects of the Mekong-Lancang Cooperation**

On 15 June 2023, His Excellency PRAK Sokhonn, Deputy Prime Minister, Minister of Foreign Affairs and International Cooperation of the Kingdom of Cambodia, and His Excellency WANG Wentian, Ambassador of the People's Republic of China to the Kingdom of Cambodia,



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co-signed the Agreement on the Cooperation on Projects of the Mekong-Lancang Cooperation (MLC) Special Fund 2023, at the Ministry.

For more information, visit: <https://www.mfaic.gov.kh/posts/2023-06-15-News-Co-signing-the-Agreement-on-the-Cooperation-on-Projects-of-the-Mekong-Lancang-Cooperation---15-June--14-20-18>

### Thailand

#### **Thailand and the EU sign draft Thailand-EU Comprehensive Partnership and Cooperation Agreement**

On 14 December 2022, in the ASEAN-EU Commemorative Summit in Brussels, Thailand and the EU signed the draft Thailand-EU Comprehensive Partnership and Cooperation Agreement (Thai-EU PCA). The PCA covers various cooperation areas, political, economic, social and environment. The cooperation under the PCA will serve as a basis for, and create an environment conducive to, the resumption of Thai-EU Free Trade Agreement (FTA) negotiations. Under the PCA, Thailand will also be able to present and share its best practices, expertise and initiatives with the EU in areas such as health (e.g., the Universal Health Coverage Scheme) and the Bio-Circular-Green (BCG) Economy Model as an approach to realising balanced, inclusive and sustainable development and growth.

For more information, visit: <https://www.mfa.go.th/en/content/pca-dec22-2?cate=5d5bcb4e15e39c306000683e>

#### **UK and SEC Thailand sign new Memorandum of Understanding on Financial Services**

On 9 January 2023, the UK government and the Securities and Exchange Commission of Thailand (SEC Thailand) signed a new Memorandum of Understanding (MoU) on Financial Services to further strengthen their partnership in the financial sector. The new MoU will focus on supporting Thailand to further develop the regulatory environment for the FinTech sector, promote sustainable finance, and increase awareness of sustainable investment in Thailand and other ASEAN countries.

For more information, visit: <https://www.gov.uk/government/news/the-uk-and-the-sec-thailand-sign-new-mou-on-financial-services>

#### **Signing Ceremony of the Fourth Action Plan between the Thailand International Cooperation Agency (TICA) and the Korea International Cooperation Agency on the Joint Cooperation (KOICA) (2023-2025)**

On 17 July 2023, Mrs. Ureerat Chareontoh, Director-General of Thailand International Cooperation Agency (TICA), and Ms. Youngsuk Jun, Country Director of the Korea International Cooperation Agency (KOICA), signed the Fourth Action Plan between the Thailand International Cooperation Agency and the Korea International Cooperation Agency on the Joint Cooperation (2023-2025) at the Ministry of Foreign Affairs of Thailand. This Fourth Action Plan encompasses bilateral and trilateral cooperation in various fields such as fisheries, water resources management, science, technology and innovation (STI) and human resource development. It will serve as an operating mechanism to advance the two countries' development cooperation at both bilateral and trilateral levels, especially in the Mekong Sub-region and beyond.

For more information, visit: <https://www.mfa.go.th/en/content/tica-koica-plan-2?cate=5d5bcb4e15e39c306000683e>

#### **Thailand to host the Indo-Pacific Economic Framework (IPEF) Negotiation Round in Bangkok**

Thailand will host the Indo-Pacific Economic Framework (IPEF) Negotiation Round during 10 - 16 September 2023 at the Shangri-La Hotel, Bangkok. During the Bangkok Negotiating Round, IPEF Partner Countries will build upon the progress made from the previous round of negotiations in Busan, Republic of Korea, in July 2023 as well as the intersessional meetings over the past months.

For more information, visit: <https://www.mfa.go.th/en/content/ipef-sep2023-2?cate=5d5bcb4e15e39c306000683e>



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### ASEAN

#### **ASEAN advances MSME engagement in circular economy**

On 25 to 26 July 2023, in an effort to promote circular economy transition in the region, over 50 government and business representatives from ASEAN Member States (AMS) came together for the Regional Policy Dialogue on ASEAN MSMEs Participation in Circular Economy. Hosted by Indonesia's Ministry of Cooperatives and SMEs, the dialogue served as a platform for industry and policy experts to shed light on recent policy trends in ASEAN and AMS and provide insights on successful and innovative circular business models.

For more information, <https://asean.org/asean-advances-msme-engagement-in-circular-economy/>

#### **ASEAN, WIPO sign a Memorandum of Understanding to Expand Cooperation in Specific Areas**

On 20 August 2023, ASEAN Member States and the World Intellectual Property Organization (WIPO) signed a Memorandum of Understanding (MOU) during the

ASEAN-WIPO Interface Meeting at the 55th ASEAN Economic Ministers Meeting (AEM). The MOU was signed by the Secretary-General of ASEAN, Dr. Kao Kim Hourn, and the Director General of WIPO, Mr. Daren Tang, and witnessed by Economic Ministers of ASEAN Member States (AMS).

For more information, visit: <https://asean.org/asean-wipo-sign-a-memorandum-of-understanding-to-expand-cooperation-in-specific-areas/>

#### **ASEAN launches world's first regionwide Digital Economy Framework Agreement**

On 3 September 2023, ASEAN Economic Ministers launched the negotiations on the ASEAN Digital Economy Framework Agreement (DEFA) – touted to be the first major regionwide digital economy agreement in the world – at the ASEAN Economic Community Council (AECC) meeting.

For more information, visit: <https://asean.org/asean-launches-worlds-first-regionwide-digital-economy-framework-agreement/> ■