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Submission No: ..... 8 .....



**Australian Government**  
**Department of Foreign Affairs and Trade**

15 September 2005

Ms Gillian Gould  
Secretary  
Joint Standing Committee on Treaties  
Parliament House  
CANBERRA ACT 2600

Dear Ms Gould

I write in relation to the ongoing inquiry by the Joint Standing Committee on Treaties into Australia's proposed accession to the Treaty of Amity and Cooperation in Southeast Asia (the Treaty), the 1987 Protocol amending the Treaty, and the 1998 Protocol amending the Treaty.

The National Interest Analysis for the Treaty, which was tabled on 9 August, attached a status list for the Treaty and its two amending Protocols. The ASEAN Secretariat, which performs the depositary function for the Treaty on behalf of ASEAN states, subsequently has provided an updated status list for the Treaty and its two amending Protocols. A copy of that revised status list is attached.

I would be grateful if the revised status list could be accepted by the Committee as an additional submission to its inquiry into the Treaty, and included in the Committee's report on the Treaty.

Should you wish to discuss this matter further, please do not hesitate to contact my colleague, Mr Michael Bliss, Director of the International Law and Transnational Crime Section of the Department's Legal Branch, on ph: (02) 62661 2069.

Yours sincerely

A handwritten signature in black ink, appearing to be 'JL', followed by a horizontal line.

James Larsen  
Legal Adviser

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

No.	Title of the Agreement	Place, Date Signed	Country	Date of Signing/Acceding	Date of Ratification	Entry into Force
1.	Treaty of Amity and Cooperation in Southeast Asia	Bali, 24 February 1976	<ul style="list-style-type: none"> <li>- Brunei Darussalam</li> <li>- Cambodia</li> <li>- India</li> <li>- Indonesia</li> <li>- Japan</li> <li>- Lao PDR</li> <li>- Malaysia</li> <li>- Myanmar</li> <li>- Mongolia</li> <li>- New Zealand</li> <li>- Pakistan</li> <li>- Papua New Guinea</li> <li>- People's Republic of China</li> <li>- Philippines</li> <li>- Republic of Korea</li> <li>- The Russian Federation</li> <li>- Singapore</li> <li>- Thailand</li> <li>- Viet Nam</li> </ul>	<ul style="list-style-type: none"> <li>- 06 June 1987</li> <li>- 23 January 1995</li> <li>- 8 October 2003</li> <li>- 24 February 1976</li> <li>- 2 July 2004</li> <li>- 22 July 1992</li> <li>- 24 February 1976</li> <li>- 27 July 1995</li> <li>- 28 July 2005</li> <li>- 28 July 2005</li> <li>- 2 July 2004</li> <li>- 5 July 1989</li> <li>- 8 October 2003</li> <li>- 24 February 1976</li> <li>- 27 November 2004</li> <li>- 29 November 2004</li> <li>- 24 February 1976</li> <li>- 24 February 1976</li> <li>- 22 July 1992</li> </ul>	<ul style="list-style-type: none"> <li>- 25 July 1995</li> <li>- 21 April 1976</li> <li>- 29 June 2004</li> <li>- 17 July 1996</li> <li>- 21 June 1976</li> <li>- 10 July 1996</li> <li>- 10 August 1989</li> <li>- 08 April 1976</li> <li>- 17 April 1976</li> <li>- 21 May 1976</li> <li>- 30 May 1995</li> </ul>	<ul style="list-style-type: none"> <li>- <u>21 June 1976</u></li> </ul> <p>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.</p>

No.	Title of the Agreement	Place, Date Signed	Country	Date of Signing/Acceding	Date of Ratification	Entry into Force
2.	Protocol Amending the Treaty of Amity and Cooperation in Southeast Asia	Manila, 15 December 1987	<ul style="list-style-type: none"> <li>- Brunei Darussalam</li> <li>- Cambodia</li> <li>- India</li> <li>- Indonesia</li> <li>- Japan</li> <li>- Lao PDR</li> <li>- Malaysia</li> <li>- Myanmar</li> <li>- Mongolia</li> <li>- New Zealand</li> <li>- Pakistan</li> <li>- Papua New Guinea</li> <li>- People's Republic of China</li> <li>- Philippines</li> <li>- Republic of Korea</li> <li>- The Russian Federation</li> <li>- Singapore</li> <li>- Thailand</li> <li>- Viet Nam</li> </ul>	<ul style="list-style-type: none"> <li>- 15 December 1987</li> <li>- 23 January 1995</li> <li>- 8 October 2003</li> <li>- 15 December 1987</li> <li>- 2 July 2004</li> <li>- 22 July 1992</li> <li>- 15 December 1987</li> <li>- 27 July 1995</li> <li>- 28 July 2005</li> <li>- 28 July 2005</li> <li>- 2 July 2004</li> <li>- 5 July 1989</li> <li>- 8 October 2003</li> <li>- 15 December 1987</li> <li>- 27 November 2004</li> <li>- 29 November 2004</li> <li>- 15 December 1987</li> <li>- 15 December 1987</li> <li>- 22 July 1992</li> </ul>	<ul style="list-style-type: none"> <li>- 19 April 1988</li> <li>- 25 July 1995</li> <li>- 02 July 1988</li> <li>- 29 June 2004</li> <li>- 17 July 1999</li> <li>- 27 January 1988</li> <li>- 10 July 1996</li> <li>- 10 August 1989</li> <li>- 10 June 1988</li> <li>- 23 March 1988</li> <li>- 01 July 1988</li> <li>- 30 May 1995</li> </ul>	<ul style="list-style-type: none"> <li>- <u>02 July 1988</u></li> </ul> <p>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.</p>
3.	Second Protocol Amending the Treaty of Amity and Cooperation in Southeast Asia	Manila, 25 July 1998	<ul style="list-style-type: none"> <li>- Brunei Darussalam</li> <li>- Cambodia</li> <li>- India</li> <li>- Indonesia</li> <li>- Japan</li> <li>- Lao PDR</li> <li>- Malaysia</li> </ul>	<ul style="list-style-type: none"> <li>- 25 July 1998</li> <li>- 25 July 1998</li> <li>- 8 October 2003</li> <li>- 25 July 1998</li> <li>- 2 July 2004</li> <li>- 25 July 1998</li> <li>- 25 July 1998</li> </ul>	<ul style="list-style-type: none"> <li>- 25 May 1999</li> <li>- 06 December 1999</li> <li>- 29 September 1999</li> <li>- 29 June 2004</li> <li>- 09 July 1999</li> <li>- 08 January 1999</li> </ul>	<ul style="list-style-type: none"> <li>- <u>17 July 2000</u></li> </ul> <p>This Protocol shall be subject to ratification and shall come into force on the date the last Instrument of Ratification of the High</p>

No.	Title of the Agreement	Place, Date Signed	Country	Date of Signing/Acceding	Date of Ratification	Entry into Force
			<ul style="list-style-type: none"> <li>- Myanmar</li> <li>- Mongolia</li> <li>- New Zealand</li> <li>- Pakistan</li> <li>- Papua New Guinea</li> <li>- People's Republic of China</li> <li>- Philippines</li> <li>- Republic of Korea</li> <li>- The Russian Federation</li> <li>- Singapore</li> <li>- Thailand</li> <li>- Viet Nam</li> </ul>	<ul style="list-style-type: none"> <li>- 25 July 1998</li> <li>- 28 July 2005</li> <li>- 28 July 2005</li> <li>- 2 July 2004</li> <li>- 25 July 1998</li> <li>- 8 October 2003</li> <li>- 25 July 1998</li> <li>- 27 November 2004</li> <li>- 29 November 2004</li> <li>- 25 July 1998</li> <li>- 25 July 1998</li> <li>- 25 July 1998</li> </ul>	<ul style="list-style-type: none"> <li>- 23 April 1999</li> <li>- 17 July 2000</li> <li>- 24 November 1998</li> <li>- 20 November 1998</li> <li>- 24 May 1999</li> <li>- 08 April 1999</li> </ul>	Contracting Parties is deposited.