

OPENING REMARKS
BY H.E MR. BAGAS HAPSORO, DEPUTY SECRETARY-GENERAL OF ASEAN ON
WORKSHOP ON ASEAN ENHANCED DISPUTE SETTLEMENT MECHANISMS
(EDSM)
JAKARTA, 24 OCTOBER 2012

H.E. Mr. Georg Witschel, Ambassador of the Federal Republic of Germany,

H.E. Ibu Linggawati Hakim, Director General for Legal Affairs and International Treaties,
Ministry of Foreign Affairs of the Republic of Indonesia,

Bapak Iman Pambagyo, Director General for International Trade Cooperation, Ministry
of Trade of the Republic of Indonesia,

Prof. Robert Beckman, Director, Centre for International Law, National University of
Singapore,

Mr. Paolo Vergano, of Fratini/Vergano Vergani,

Our dear practitioners, experts on law

Mr. Jörg Meier, from the GIZ,

Excellencies,
Distinguished Guests,
Ladies and Gentlemen,

First of all, allow me, on behalf of the Secretary-General of ASEAN H.E Dr. Surin
Pitsuwan; welcome you and all participants to the Workshop on ASEAN Enhanced
Dispute Settlement Mechanism (EDSM), which is jointly organized by the ASEAN
Secretariat and the GIZ.

For the benefit of our workshop today, I shall inform you that ASEAN completed its
undertaking in coming up with the Protocol to the ASEAN Charter on ASEAN Dispute
Settlement Mechanisms in April 2012, at the sidelines of the 21st ASEAN Summit. The
Protocol is an important legal instrument to implement the Charter VIII on Dispute
Settlement Mechanism provided for in the ASEAN Charter.

In addition to the existing dispute settlement mechanisms provided for under the Treaty
of Amity and Cooperation in Southeast Asia (TAC) and the ASEAN Protocol on
Enhanced Dispute Settlement Mechanism, the recently concluded Protocol has
witnessed the ASEAN's strong commitment in developing dispute settlement
mechanisms in all fields of cooperation.

Today's workshop would not only familiarise participants with those mechanisms, particularly the dispute settlement mechanisms, but will also provide a venue for participants to exchange views and ideas with our speakers and experts on how to ensure the effective operationalisation of those mechanisms within both national and regional levels.

Hence, I am glad that this Workshop is attended and participated by a large numbers of scholars, think tanks, experts, etc.

We have amongst us, Ibu Linggawati Hakim, one of the best Indonesian lawyers on Law of the Sea. On my personal note, we joined the Indonesian Foreign Ministry at the same batch in 1984.

We also have Bapak Iman Pambagyo, our SEOM Leader, who will make sure that ASEAN Economic Community will transform ASEAN into a region with free movement of goods, services, investment, skilled labour, and freer flow of capital.

We have Prof. Robert Beckman. He is the heads of the Centre for International Law's programme in Ocean Law and Policy, as well as the CIL's Research Projects on Submarine Cables, International Maritime Crimes and the South China Sea, and CIL's its Documents Database Project.

Mr. Paola Vergano, Mr. Vergano has extensive experience in advising Governments and private parties on WTO matters and multilateral/regional trade negotiations. Since 2007, he has been advising the ASEAN Secretariat on a wide range of legal and trade-related matters, including in relation to the EDSM.

I was informed that later on, we will have the presence of Prof. Hikmahanto Juwana, a senior legal advisor in various issues to the Government and Private Sectors in Indonesia.

Ladies and gentlemen,

I believe that putting in place dispute settlement mechanisms with proper institution and the right resource persons would certainly instill more trust and confidence to all stakeholders, on the seriousness of ASEAN in its efforts toward a rules-based community.

We shall always be reminded that ASEAN is not only the organization that needs to maintain its central role in regional architecture, but ASEAN shall always remain relevant and competitive in a rapidly shifting and increasingly interdependent world.

Today, with the continued support and assistance of GIZ, I am sure that the Workshop will provide a great opportunity for participants to understand more about ASEAN and its dispute settlement mechanisms, in the success of ASEAN Economic Community. I do also believe that the Workshop will allow the participants to discuss and exchange

views with our regional and international experts to share best practices and lesson-learned in order to further improve our dispute settlement mechanisms.

What is the relevance of this workshop today?

We are looking at the potentials and commercial benefit in the future.

We are looking at the **communality** and **certainty** that good for people and governments of ASEAN.

ASEAN is the best place for investment, and is a competitive region in the world.

All 10 ASEAN member states are in competition with Brazil, South Africa or other place in the world as potential place for investment, because ASEAN has the predictability. But, ASEAN needs a grand plan for infrastructure development, while rest assured that the investors' rights are protected.

The workshop will be benefitting you personally, too. I know that some of you also are judges from different disciplines, such as competition policy, anti dumping, subsidies and countervailing measures, yet this Workshop will surely improve your networks.

Ultimately, this Workshop will certainly contribute to our efforts in further strengthening the interaction and engagement among representatives of relevant lines agencies of governments of the ASEAN Member States, such as, ASLQM.

I appreciate the efforts of Pak Un Sovannasam and our Colleagues at the Legal Service and Agreement Division for facilitating the discussions.

Finally, the ASEAN Secretariat is doing every possible effort to coordinate and facilitate ASEAN's work to ensure the success of ASEAN in realizing its community-building and integration goal.

And in this regard, I look forward to a fruitful and productive discussion in the Workshop.

I wish you all the success.

Thank you.