



**ASEAN
INTER - PARLIAMENTARY
ASSEMBLY**

SECRETARIAT'S ANNUAL REPORT 2017-2018



**THE SECRETARIAT'S ANNUAL REPORT
FY 2017/2018**

In accordance to the function and duties of the Secretary General as stipulated in Part V, Article 15.5 (G) on the Statutes of AIPA, below is the report on the activities of the AIPA Secretariat in Jakarta for the Period from 1st September 2017 to 31st August 2018.

A. DIRECTORATE OF COMMITTEE

1. 1ST AIPA ADVISORY COUNCIL ON DANGEROUS DRUGS (AIPACODD) IN SINGAPORE FROM 18 - 21 JUNE 2018.

The Secretary General of AIPA attended the 1st Meeting of AIPA Advisory Council on Dangerous Drugs (AIPACODD) from 18 – 21 June 2018 at Parliament House, Singapore. The meeting focused on the country progress report of each AIPA Member Parliaments and proposed resolutions on Securing a Drug Free ASEAN Community for Future Generation and the Terms of Reference of the AIPA Advisory Council on Dangerous Drugs.



(The full report of the meeting will be submitted for the consideration and adoption of the Committee on Social Matters of the 39th AIPA General Assembly).

2. 10TH AIPA CAUCUS.

The AIPA Secretariat received a letter dated 31 January 2018 from the Union Assembly of Myanmar informing they were unable to host the 10th AIPA Caucus Meeting in 2018. In cognizant to this information, the Secretary General sought the possibility from the Parliament of Malaysia and the House of Representatives of the Philippines to host the meeting within the year. Understandably, both these Parliaments were unable to host the AIPA Caucus in 2018.

Therefore, the 10th AIPA Caucus Meeting was not convened in 2018 and the adopted resolutions during the 38th AIPA General Assembly (2017) will be monitored and accommodated at the next AIPA Caucus (2019) in Malaysia, as the Parliament of Malaysia is scheduled to host the AIPA Caucus in 2019.

B. DIRECTORATE OF POLICY, EDUCATION AND PUBLICITY

As stipulated in the Statutes and Regulations of AIPA, the Directorate of Policy, Education and Publicity (PEP) is committed to serve AIPA in its internal and external relations. Aimed at informing Member Parliaments of the current and forthcoming activities, the Directorate maintains communication with the national secretariats on a regular basis. Following the adoption of the resolution on “*Formulating and Implementing Project Based Initiative on Strengthening Legal Frameworks to Protect Children from Sexual Exploitation in Travel and Tourism*” at the 38th AIPA General Assembly last year, the Directorate of PEP leads the implementation of the resolution.

Divided into two sub-divisions; Education and Publicity, the Directorate provides insight and analysis to the Secretary General and AIPA Member Parliaments on matters of AIPA’s concerns, including drug menace, wildlife, child protection, capacity development and ASEAN integration. Together with the Directorate of Committee, the PEP Directorate provides service to the National Parliaments in the preparation of AIPA regular meetings.

Education programme is important for dissemination of information on how AIPA works and its role within the process of ASEAN integration. Hence, AIPA has been implementing several educative and awareness-raising programs.

“Attachment Program”, in which AIPA recruits students from various universities in Indonesia as well as overseas graduates, has been implemented since 2014. Throughout October 2016 to August 2017, the AIPA Secretariat has recruited three undergraduate students from several universities in Indonesia. The AIPA Secretariat is fully aware of the importance of engaging universities from other ASEAN countries in its awareness program. Hence, the AIPA Secretariat will collaborate with BINUS University (Indonesia) and P2A (Passage to ASEAN) in bringing international students from ASEAN countries to have an attachment program at the AIPA Secretariat.

“Model AIPA” was first launched in August 2017 as a new awareness program of the AIPA Secretariat. Model AIPA is an educational simulation of the AIPA General Assembly, where students can learn about diplomacy, regional relations, and AIPA itself as a regional parliamentary organization.



Following the success of the pilot Model AIPA in 2017, this year the AIPA Secretariat collaborated once again with BINUS and Al-Azhar University in convening the 2nd Model AIPA. With the support from GIZ and P2A, the 2nd Model AIPA invited university students across ASEAN.

“AIPA-Youth Contributes to the Future of ASEAN” was picked as the theme of the 2nd Model AIPA. Divided into three topics; (1) Feasibility of the Establishment of an ASEAN Parliament, (2) Narrowing the Development Gap by Involving Youth in Entrepreneurship and (3) Risk to Children Safety arising from the Development of Tourism in ASEAN. The event was attended by at least 60 university students from 7 ASEAN Member States. The event was then closed with a solidarity dinner at Aryaduta Hotel Jakarta, Indonesia.

Fully supported by the *“AIPA for ASEAN Integration Project”*, AIPA Secretariat staff have been continuously participating in trainings. In this regard, Directorate of PEP plays its role by working together with GIZ as the implementing agency of the project, and AIPA Secretary General in the selection of staff to be included in the trainings. Directorate of PEP has also been active in proposing to GIZ on trainings required by staff, and make sure that the trainings will impact positively to their daily work. The list of trainings is attached in this annual report.

Adjustment in the structure of Directorate PEP has been made. The Publicity Officer took office in early April 2018 and since, has been working closely with the communication officer of Directorate ICT in promoting AIPA through its social media platforms. The position of Education Officer is currently vacant and the assignments are temporarily shared by the Director of PEP and Publicity Officer.

C. AIPA PARTNERSHIP

As stipulated in the Agreement on the Establishment of AIPA Secretariat, the purpose and duty of the AIPA Secretariat is to engage with international organizations, governments and parliaments which support AIPA. Hence, AIPA has been establishing relations with governments and international organizations.

1. FEDERAL REPUBLIC OF GERMANY THROUGH DEUTSCHE GESSELLSCHAFT FUER INTERNATIONALE ZUSAMMENARBEIT (GIZ).



Has been in relation with AIPA since 2012, the Federal Republic of Germany is one of AIPA's longest partners. On March this year, the agreement between the two parties was renewed for another two-year phase. The Joint Declaration of Intent (JDol) was signed by the Ambassador of Federal Republic of Germany, H.E. Michael Freiherr von Ungern-Sternberg and the AIPA Secretary General. The signing ceremony was convened on 14 March 2018. The two parties agreed to carry out the project “AIPA for ASEAN Integration (AIPA4ASEAN)” which covers the following areas of cooperation; (1) ASEAN Integration at Inter-parliamentary Level, (2) Human Capacity Development, and (3) Strengthening the AIPA Secretariat.

3. ECONOMIC RESEARCH INSTITUTE OF EAST AND SOUTHEAST ASIA (ERIA).

After the resolution on “*Memorandum of Understanding to Develop AIPA’s Capacity on Matters Concerning ASEAN Economic Community and ASEAN Economic Integration in Various Areas between ERIA and AIPA*” was adopted in the 37th AIPA General Assembly, cooperation between AIPA and ERIA was established through the signing of MoU in December 2016. In the 38th AIPA General Assembly in Manila, The Philippines, ERIA was given opportunity to deliver presentation at the Economic Committee Meeting. As a follow-up to the presentation, a Dialogue on “*Parliamentarians Supporting the ‘Quite Revolution’ for Better Regulatory Governance*” was jointly convened by ERIA and AIPA from 19 to 20 April 2018 in Jakarta, Indonesia.



Opened by the ASEAN Secretary General Dato Lim Jock Hoi and AIPA Secretary General Isra Sunthornvut, the Dialogue involved parliamentarians, experts, government officials, business representatives and academics in sharing knowledge and experience. The Dialogue enabled parliamentarians to gain knowledge and information on the issue of Good Regulatory Practice (GRP), Non-Tariff Measures (NTMs) and Non-Tariff Barriers (NTBs), and discuss their roles in the implementation and oversight of the issue. The final report of the dialogue is attached as Annex 1.

4. PARLIAMENTARY INSTITUTE OF CAMBODIA (PIC).

On April 4th, 2018 AIPA and Parliamentary Institute of Cambodia (PIC) signed MoU on “*Capacity Development Program for Staff of AIPA Member Parliaments*”. Since then, AIPA and PIC have successfully completed four intakes of Regional Fellowship Program; a six-month regional exchange program to strengthen parliamentary capacity in the entire ASEAN region. The fifth intake will be commenced on 2nd July until 28th December 2018.

Conformity to the resolution to further expand its development program, in 2018 PIC conducted a short-term training program on Parliamentary Responsibilities titled “*A Comparative Overview of Parliamentary Responsibilities: Improving the Efficiency of Institution*”. The training program is provided mainly for the parliamentary staff to enhancing knowledge on varied functions of parliaments as well as certain parliamentary work in the region. The program will be separately held on the first week of October in Phnom Penh and on the second week of December in Siam Reap with various subjects for example presentation on political system, parliamentary research, legislative legal and financial procedure, budget analysis, and cultural activities.

D. PROJECT BASED INITIATIVES

During the 38th AIPA General Assembly convened in Manila last year, the resolution “*Formulating and Implementing Project Based Initiative on Strengthening Legal Frameworks to Protect Children from Sexual Exploitation in Travel and Tourism*” was adopted. The resolution mandates and supports the AIPA Secretariat to take action as well as to create engagement with regional and international communities in tackling the issue on children protection from sexual exploitation in travel and tourism.

Following the adoption of the resolution, the AIPA

Secretariat in collaboration with ECPAT International and UNICEF EAPRO convened a Kick-Off Regional Parliamentary Workshop. The overall objective of the workshop is to share information among ASEAN countries about the existing legal frameworks, identify the gaps and discuss the priority key legal interventions to be undertaken in the region in order to stop the impunity of offenders and protect children from SECTT. The workshop will result in concrete commitments that will be taken forward at national and regional levels by the parliamentarians



As the baseline document, the AIPA Secretariat with the support from ECPAT International has developed a legal checklist on the existing SECTT-related legislations of the 10 ASEAN Member States. The said legal checklist was presented by legal consultant of ECPAT International for further discussion at the workshop.

Furthermore, AIPA Secretariat worked together with AIPA National Secretariats in identifying champion MPs to be invited to the workshop. As a result, 14 champion MPs from 8 AIPA Member Parliaments participated and actively contributed to the workshop. Malaysia and Singapore were unable to attend due to their internal reasons

The workshop agreed on a set of legislative interventions in combating sexual exploitation of children in travel and tourism. A written commitment was also proposed to the participants, and a consensus was reached upon brief deliberation. The report of the kick-off workshop is attached as Annex 2.

E. DIRECTORATE OF INFORMATION, COMMUNICATION AND TECHNOLOGY

1. AIPA WEBSITE

AIPA Secretariat developed a new design of the website. This improvement aims to access updated information about AIPA, as well as to provide a new feel on the website page. The contents of the website are always being updated once a new activity is made by AIPA.

In addition, improvements are also made for admin to easing the maintenance, creating new reports, and securing system. The AIPA Secretariat has paid a hosting and domain website annually.

The Secretariat has launched a new website *www.aipacampaign.org* to provide more comprehensive materials with specific topics related to our project based initiatives (e.g. strengthening the Legal Framework of Sexual Exploitation of Children in Travel and Tourism) periodically.

2. RESOLUTIONS DATABASE

AIPA currently has AIPA Connect (AIPA Intranet) as the web-based knowledge and information-sharing portal for various user groups within the national secretariats of member parliaments of AIPA. For this solution, AIPA Secretariat has developed a new web-based Database (Database Online) on top of the current AIPA Secretariat website that will be connected with AIPA Connect.

For public users who only need to view and download the published resolutions, they can simply go to the Resolutions Databases which can be accessed through the link from the AIPA Secretariat website and search for the resolution they need without any registration process and login mechanism.



Website version



Mobile Version

This system is allowing public users to access the published resolutions from anywhere via the internet. There is no need for software installations and updates. AIPA Secretariat website is currently based on cloud technology hosted by Rumah Web Hosting. AIPA Connect website is also based on cloud technology (Sharepoint Online) hosted by Microsoft. The system is also accessible to any mobile device in various platforms (Windows, Linux, Unix, Mac OS X, etc).

3. SOCIAL MEDIA

Below is the summary of performance of AIPA social media platforms (Instagram and Facebook) between July 2017 and July 2018. The progress of our social media engagement is indicated by the numbers of followers, reactions (including like, love, and emoticons such as wow, haha, sad, and angry), comments, shares, post reach (the number of people who saw your post on their news feed), and the demography of our followers, including countries (the countries with the highest number of followers on AIPA social media platforms), gender (female or male), and age.

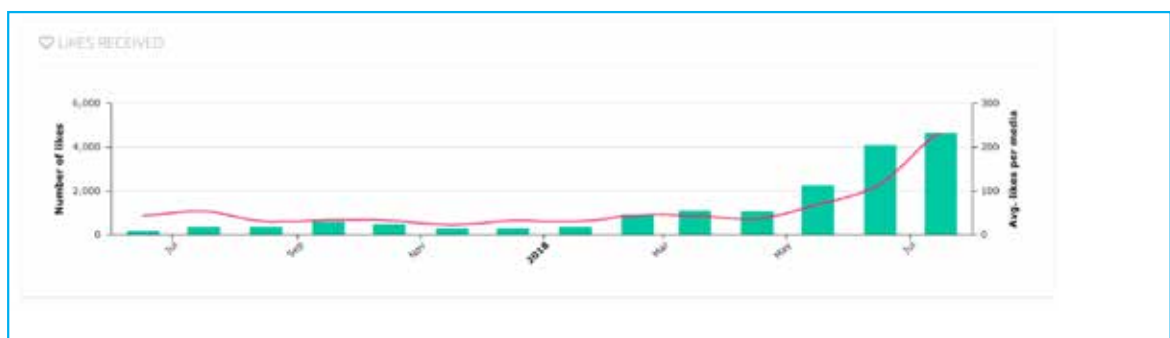
As of 20 July 2018, the number of likes on AIPA Secretariat's Facebook page has reached 2,944 people. The increased number of (Page) Likes from March 2018 to April 2018 was considerably high with the total of 266 new Likes compared to the average raise per month 40 new Page Likes.

MONTH (2017-2018)	FACEBOOK	INSTAGRAM
July	1,060	67
August	1,081	87
September	1,096	133
October	1,141	158
November	1,153	190
December	1,163	222
January	1,178	247
February	1,191	293
March	1,457	450
April	1,726	490
May	1,760	546
June	2,164	596
July	2,977	654

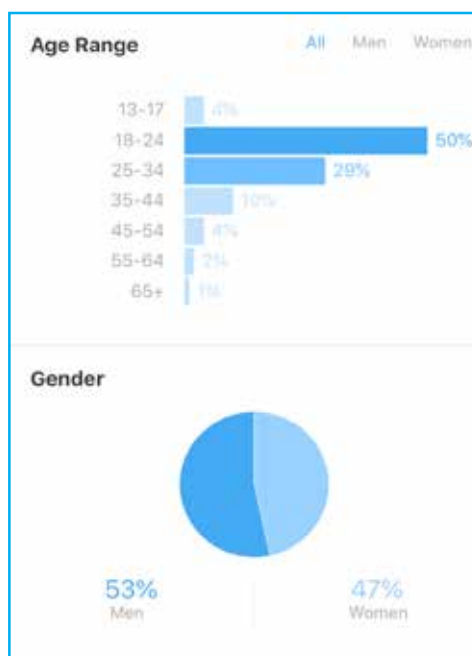
There was a significant increase on awareness between June 2018 and July 2018, with the average number shares of Post Reach increasing from 792 people to 6879 people, from 300 to 682 Reactions, from 3 to 64 Comments and from 8 Shares to 35 Shares. Its given the fact that there was an ascended engagement on 7 July 2018 'Mobile Internet Speed' post with the total Post Reach 118.700 people, 581 Reactions, and 563 shares.

Gender variations were generally considerable. Male (62%) were found to have a greater awareness of the Facebook page of AIPA than female (38%). In terms of the countries, the majority of the followers came from Indonesia with 753 people came from the country, followed by 573 followers and 183 followers from Myanmar and Cambodia sequentially. Teenagers (13-17 years old) were 15.5% of the total followers and young people (18-34 years old) representing 66% of the total; 39% were middle aged people (35- 54 years old), and 2.9% were seniors individual aged 54 or over.

The followers of the Instagram page of AIPA, on the other hand, increased slowly compared to Facebook. The number of followers in July 2017 was 67 and it gradually climbed to 654 in July 2018.



However, the numbers of like significantly increased. With the average jumping from 1000 likes per month to 4200 likes in July 2018.



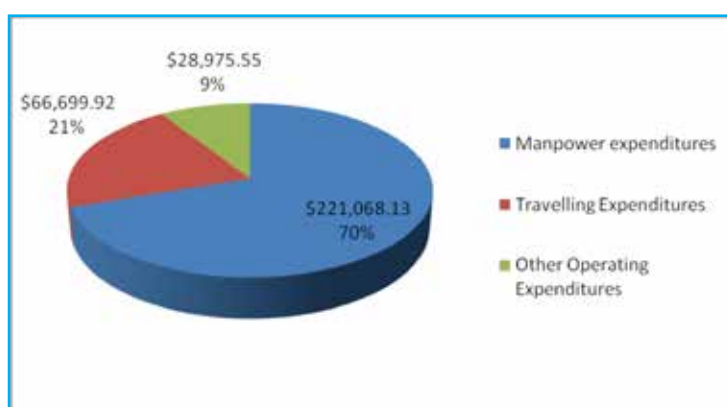
Furthermore, our current followers are divided into 4% teenagers (13-17 years old), 79% were young people (18-34 years old), 14% were middle aged people (35-54 years old), and 3% seniors aged 54 or over. Similar with the Facebook page, the followers of Instagram came from Indonesia followed by Thailand and the Philippines.

F. DIRECTORATE OF FINANCE AND ADMINISTRATION

1. AUDITED INCOME AND EXPENDITURE STATEMENT FY 2017/2018.

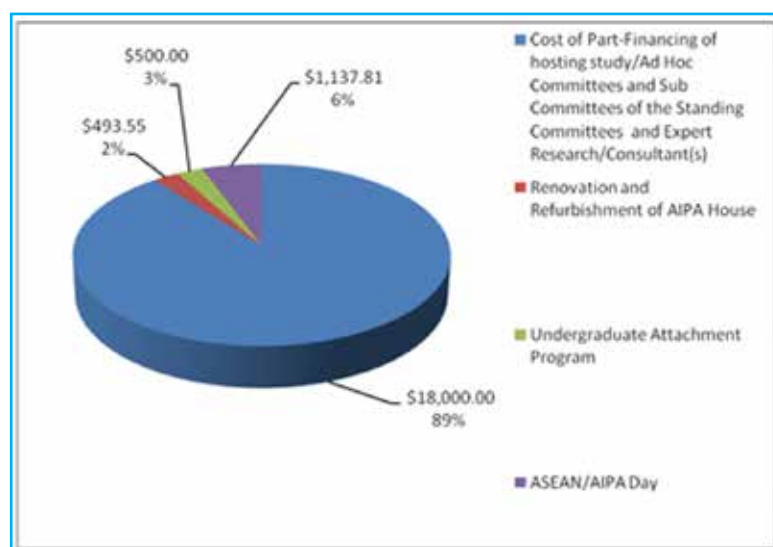
a. Annual contribution from Member Countries

Total of USD 269,998.00 was received by the AIPA Secretariat as annual contribution from AIPA Member Countries and a total of USD 316,743.60 was spent for operational expenditures for AIPA Secretariat such as manpower, travelling and other operating expenditures. The last annual contribution of USD 30,000 for the fiscal year of 2017-2018 was received by the AIPA Secretariat in August 2018.



b. Special Fund Contribution from Member Countries

The secretariat received and utilized Special Fund Contribution from AIPA Member Countries starting this financial Year. Total Special Fund Contribution received for FY 2017/2018 was USD 54,866.53. The total included the advance payment from the Philippines for FY 2018/2019. There are savings of some items since the secretariat did not utilize the fund for part financing of AIPACODD in Singapore and AIPA was not invited to the ASEAN Summit this year, therefore the surplus of USD 34,735.17 from special fund contribution is kept in saving account as a beginning balance for the next Financial Year.



Special Fund Contribution from Member Countries.

2. POSITION OF TIME DEPOSITS, AIPA SAVING AND CURRENT ACCOUNTS IN BANK MANDIRI.

The position of time deposits of AIPA as of 31 July 2018 is as follows:

- 1 monthly time deposit in Bank Mandiri
USD 533,058.72 A/C No. 102.0202020720
- 1 monthly time deposit in Bank Mandiri
USD 21,606.45 A/C No. 102.0204367616
- 3 monthly time deposit in Bank Mandiri
USD 177,669.35 A/C No. 102.0204354481

The total in time deposits of USD 732,334.52 by 31 July 2018 is kept. The Secretariat had closed Bank Mandiri IDR saving account, number 122.000.654454.1 in November 2017 since that account is not actively used by the Secretariat. Therefore, the amount of Rp. 3.832.000 was kept as petty cash. Balance of AIPA current account in Bank Mandiri as of 31 July 2018 amounting to USD 248,918.30 is kept.

3. CONTRIBUTION IN KIND FROM HOST COUNTRY (THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA).

The AIPA Secretariat hereby expresses its sincere appreciation and gratitude to the House of Representatives of Indonesia as the host parliament for its continued support and assistance to the Secretariat. The House of Representatives of Indonesia had provided AIPA Secretariat with many facilities such as office space, office furniture and equipment, health facilities in DPR-RI clinic for AIPA Secretariat's staff, maintenance for official cars and through the years paid for the Secretariat's utility charges, telephone bills and internet bills.

4. AIPA SECRETARIAT'S STAFF MEMBERS.

Total of fifteen staff were employed at AIPA Secretariat as Locally Recruited Staff. As of 31st July 2018, ten staff are on 3 year contract and 5 staff are on permanent status (more than 6 year service). The position of education officer is now still vacant. A senior consultant is also hired for period 1st October 2017 to 30th September 2018 and one security officer is also outsourced from DPR-RI. They are as follows:

- Deputy Secretary General – Mario Pandu Dewono
- Director of Policy, Education and Publication – Putri Maha Lima
- Director of Committee – M. Ilyas Saudek
- Director of ICT – Resky Wiwoho A.W.
- Director of Finance and Administration – Fani Budi Pratiwi
- ICT Officer – Efran Arieza
- ICT Officer – Anggayasti Ajengpadmitha
- Publicity Officer – Royyan Hadela Isnanda
- Secretary to Secretary General – Putri Gita Chandra Lubis
- Specialist Officer – Wahyu Samodra
- Corporate Finance Officer – Nyoman Astini Sari
- Corporate Support Officer – Dwi Supiana
- Office Support Staff – Suheri
- Driver to Secretary General – Tumiran
- Domestic Help – Neni Triana
- Consultant – Ria Rumata Aritonang
- Security Officer – Budi Handoko

G. MEETINGS, SEMINARS, AND INTERNATIONAL CONFERENCE ATTENDED BY THE AIPA SECRETARIAT

1. 40th Anniversary of AIPA commemorated by Thailand Parliament on 1st September 2017, Bangkok, Thailand.
2. Diplomatic Tour to Commemorate World Food Day, 18 – 20 October 2017, Kalimantan, Indonesia.
3. 14th Inter-Parliamentary Forum on Security Sector Governance in Southeast Asia (IPF-SSG), 5 – 7 December 2017, Nay Pyi Taw, Myanmar.
4. Tribute & Appreciation to Secretary General Li Lung Ming, ASEAN Secretariat, 20 December 2017, Jakarta, Indonesia.
5. 26th APPF (Annual Meeting of the Asia – Pacific Parliamentary Forum), Viet Nam, 18 – 21 Jan 2018.
6. 19th General Assembly of the Confederation of ASEAN Journalists, 26 January 2018, Bangkok, Thailand.
7. Meeting with AIPA President at Singapore Parliament, 30 January 2018, Singapore.
8. Speaker at the Inter-Sectoral Dialogue 7 February 2018 at Arya Duta Hotel, Jakarta, Indonesia.
9. Speaker at the High Level Conference on Sustainable Development, Crime Prevention, and Safe Societies, 5 March 2018, Bangkok, Thailand.
10. Signing of Phase-3 Joint Declaration AIPA – GIZ at AIPA Secretariat 14 Mar 2018, Jakarta, Indonesia.
11. ACWC Partnership Conference, at ASEAN Secretariat 28 Mar 2018, Jakarta, Indonesia.
12. MOU with Freeland Foundation, 29 Mar 2018, Bangkok, Thailand.
13. Seminar on SDGs and Launching of Secretariat Office, 2 April 2018, Jakarta, Indonesia.
14. Dialogue: Parliamentary Supporting the “Quiet Revolution” for Better Regulatory Governance, 19 – 20 April 2018, Jakarta, Indonesia.
15. Meeting with the Secretary General of ASEAN, H. E. Lim Jock Hoi, at ASEAN Secretariat, 20 April 2018, Jakarta, Indonesia.

16. Regional Conference on ASEAN 2025: Synchronising Economic and Security Agendas, 2 – 3 May 2018, Bangkok, Indonesia.
17. Regional Seminar Parliamentary Forum on Small Arms and Light Weapons (PFSALW) for South-East Parliaments, 7 – 9 May 2018, Jakarta, Indonesia.
18. Attending ECPAT Annual Meeting 6 – 7 June 2018 at Bogota, Colombia .
19. The Executive Officials on Mass Atrocity Prevention from ASEAN and other Southeast Asian States 25 – 27 June 2018, Bangkok, Thailand.
20. SECTT Workshop 26 – 27 July 2018 at Bali, Indonesia
21. Speaker at the the 4th Parliamentary ASEAN Community Forum 31 July 2018, Bangkok, Thailand.
22. Meeting with the US Congressmen and Conservation Groups 11 – 13 July 2018 at Washington D. C., U. S.
23. Observer at the Election Process of the 6th Legislative of the National Assembly Election of the Kingdom of Cambodia, 27 – 30 July 2018, Phnom Penh, Cambodia.
24. Speaker at the 4th Parliamentary ASEAN Community Forum 2018, 31 July 2018, Bangkok, Thailand.

H. COURTESY CALLS

1. Courtesy Call on President of AIPA, H.E. Tan Chuan-Jin, 30 January 2018 at Parliament of Singapore.
2. Courtesy Call on ASEAN Secretary General H. E. Lim Jock Hoi, 8 February 2018, at ASEAN Secretariat, Jakarta, Indonesia.
3. Courtesy Call on the Belarus Ambassador H. E. Valery Kolesnik at the Belarus Embassy 22 February 2018, Jakarta, Indonesia.
4. Courtesy Call on the Speaker of the People's Representative House 20 July 2018 at DPR Building, Jakarta, Indonesia.

I. OFFICIAL VISITS RECEIVED BY THE AIPA SECRETARIAT

1. Visit by Indian Ambassador at AIPA Secretariat 14 November 2017, Jakarta, Indonesia.
2. Visit by the Ambassador of Vietnam Mission to ASEAN at AIPA Secretariat, 21 December 2017, Jakarta, Indonesia.
3. Visit by the Norwegian Ambassador to ASEAN 18 January 2018, at AIPA Secretariat, Jakarta, Indonesia.
4. Visit by the Russian Ambassador to ASEAN, 18 January 2018, at AIPA Secretariat, Jakarta, Indonesia.
5. Visit from the Kingdom of Morocco's Ambassador to Indonesia, 8 February 2018, at AIPA Secretariat, Jakarta, Indonesia.
6. Interview by Nadia El Ahmar from the Moroccan News Agency (Jakarta), 12 February 2018, at AIPA Secretariat, Jakarta, Indonesia.
7. Visit from H. E. Mrs. Mounia Boucetta, Secretary of State to the Minister of Foreign Affairs and International Cooperation of the Kingdom of Morocco, on behalf of H. E. Nasser Bourita, Minister of Foreign Affairs and International Cooperation 13 February 2018 at AIPA Secretariat, Jakarta, Indonesia.
8. Visit from the new Georgia Ambassador H. E. Irakli Asakshvili 23 February at AIPA Secretariat, Jakarta, Indonesia.
9. Visit from the European Parliament Delegation 9 May 2018 at AIPA Secretariat, Jakarta, Indonesia.
10. Visit from the Republic of Korean Ambassador to ASEAN H. E. Kim Young-chae 9 May 2018 at AIPA Secretariat, Jakarta, Indonesia.

J. WORKSHOPS AND TRAININGS

1. AIPA - GIZ Workshop Team Building, 3 - 6 November 2017, Ayutthaya, Thailand.
2. Training on the Project Cycle Management with LogFrame, 6 - 10 November 2017, Bangkok, Thailand.
3. Training on Effective Business Writing and Impactful Presentation Skills by GIZ, 28 November - 3 December 2017, Jakarta, Indonesia.
4. AIPA - GIZ Gender Workshop (WAIPA Conference), Consultative Workshop on the State Gender-Related Legislation and Participation of Women in Parliamentary Process of AIPA Member Parliaments, 7 - 8 February 2018, Jakarta, Indonesia.
5. Training Data to Sign - Info graphics Essentials by GIZ, 4 - 7 June 2018, Singapore.
6. Fund Raising Skills Building and Planning Workshop by Venture for Fund Raising & GIZ, 13-15 August 2018, Jakarta, Indonesia.



Summary of First ERIA–AIPA Dialogue:

Parliamentarians Supporting the ‘Quiet Revolution’ for Better Regulatory Governance

Jakarta, 19–20 April 2018

1. Introduction

The Association of Southeast Asian Nations (ASEAN) Inter-Parliamentary Assembly (AIPA) and the Economic Research Institute for ASEAN and East Asia (ERIA) held a dialogue to discuss the role of parliamentarians in supporting regulatory reform, particularly in relation to Non-Tariff Measures (NTMs) and Good Regulatory Practice (GRP) on 19–20 April 2018.

The Dialogue was held under the Memorandum of Understanding signed between AIPA and ERIA in December 2016 as a follow-up to the President of ERIA’s presentation, ‘Fostering ASEAN’s Quiet Revolution for Good Governance’, at the Meeting of the Committee on Economic Matters during the 38th General Assembly of the AIPA, held in Manila from 14–20 September 2017.

The objective of the Dialogue was to increase awareness about GRP and NTMs and Non-Tariff Barriers (NTBs) amongst parliamentarians from ASEAN Member States; and to give parliamentarians an opportunity to discuss their roles in the implementation and supervision of (GRP and NTMs) issues in their respective countries.

2. Remarks

The workshop was opened by Prof. Hidetoshi Nishimura, the President of ERIA; H.E. Dato Lim Jock Hoi, the Secretary General of ASEAN; and Hon. Mr. Isra Sunthornvut, the Secretary General of AIPA. The opening session was moderated by ERIA’s Director of Capacity Building, Mr. Jeremy Gross.

Prof. Hidetoshi Nishimura was very pleased to welcome AIPA and the parliamentary delegates along with other participants for the first joint activity between ERIA and AIPA. *Prof. Nishimura* underlined the importance of parliamentarians, who could help to create a better business environment both domestically and regionally, for example by addressing NTMs issues and applying GRP.

H.E. Dato Lim Jock Hoi also emphasised the active roles of parliamentarians as ASEAN moves towards the next phase of integration, which calls for greater regulatory coherence and cooperation, as well as improving the ease of doing businesses, thereby optimising the benefits of market access. With the growing need for harmonised regulations and standards to achieve a more integrated ASEAN, parliamentarians can take an active role in strengthening regulatory governance by:

- Ensuring relevant trade facilitation agreements are ratified;

- Facilitating a consultative mechanism for regulatory cooperation.

Hon. Mr. Isra Sunthornvut explained his thoughts that ASEAN cannot become a true community as long as ordinary ASEAN citizens do not see themselves as stakeholders in the ASEAN community. *Hon. Mr. Isra* also stressed that connecting the people of ASEAN is not only the task of the ASEAN Secretariat or the parliaments, but that of all ASEAN stakeholders.

3. Summary of Workshop Proceedings

1) NTMs in ASEAN: Presentations and Questions and Answers

Tan Sri Datuk Dr. Rebecca Sta. Maria, Senior Policy Fellow of ERIA; *Dr. Ernawati Munadi*, NTM Consultant for ERIA; and *Mr. Gil L. Gonzales*, Executive Director of ASEAN Business Advisory Council (ABAC), presented topics on NTMs in ASEAN. This session was moderated by *Dr. Ponciano S. Intal Jr.*, Senior Economist of ERIA.

How to manage NTMs in the region was the main focus of discussions in the session. Poorly designed NTMs (NTBs) can be burdensome, as they can cause inefficiencies in the economy. Managing NTMs requires great effort involving all ASEAN stakeholders, and includes eliminating NTBs and improving NTMs usefulness to private sectors.

ERIA is working with the ASEAN Secretariat and ABAC on initiating the efforts to manage NTMs issues. Further engagement with parliamentarians is expected to push forward the agenda of achieving well-managed NTMs in ASEAN. Well-managed NTMs will help to address issues of market failure in the region. The number of NTMs in use has increased significantly following a decline in the use of tariffs. The increase in NTMs is often singled out as the reason for lack of integration in ASEAN. NTMs run the risks of burdensome procedures and lack transparency compared with tariffs.

NTMs become problematic where regulatory inconsistencies result from their poor design; NTBs are NTMs that are badly designed, so the problem with NTMs are the NTBs. NTBs are the result of incoherent regulation, where:

- The outcome of the regulation is not targeted at the right problem;
- The definition of regulation is too broad/general; and/or
- The compliance mechanism of the regulation is overly cumbersome.

Only NTBs that should be eliminated while NTMs should be improved to minimise their cost for the private sector. In other words, NTMs, if well managed, can be beneficial as a check on the quality of goods.

Managing NTMs in ASEAN requires alignment, coordination, and collaboration across ASEAN stakeholders. ERIA, ABAC, and ASEAN Secretariat are working together to ensure NTMs are well managed:

- ERIA's research support is expected to help the business sector monitor, clarify, and prioritise the NTMs issues businesses are concerned about;

- The push from ABAC is expected to raise the issues of greater transparency, standards harmonization, and the reduction of identified NTBs;
- ASEAN Secretariat is expected to institutionalise the issue of the reduction and the review of NTMs/NTBs in ASEAN.

To support its research, ERIA uses the ASEAN NTM Database (asean.i-tip.org). Work on the database involves collaboration between national experts and government officials. The database covers all regulations that were in effect on January 2015 using the 8-digit level HS Codes, and it uses internationally comparable data (The MAST-Classification February 2012). In future, ERIA will work on several projects including:

- Alignment of work on NTMs with NTR/ATR and MPAC 2025;
- Together with the ASEAN Trade Facilitation Joint Consultative Committee (ATF-JCC), ERIA will contribute to the development of NTM section in National Trade Repository and ASEAN Trade repository; and
- In collaboration with UNCTAD, it will work on:
 - Updating ASEAN (and East Asia) NTMs database;
 - Prioritising the management of NTMs and providing capacity building for national NTM teams;
 - Ad-valorem equivalents (AVE) for NTMs, where the tariff equivalent of Sanitary and Phytosanitary (SPS) measures and Technical Barriers to Trade (TBT) for ASEAN are 6.5% and 4.5%, respectively (Lili Yan Ing and Olivier Cadot, 2017¹);
 - Broader trade and welfare impact analysis of selected NTMs and products, and regulatory convergence in ASEAN.

With the ERIA-AIPA workshop on NTMs and GRP, there could be a possibility of engagement between ERIA and AIPA on:

- Preliminary discussion on lawmakers' roles and challenges to enforce NTMs transparency;
- Developing the legal framework for institutionalisation of NTMs notification for each ASEAN Member State (AMS) by coordinating with national focal points.

The engagement with parliamentarians and businesses is expected to be the driving force behind achieving well-managed NTMs. Parliamentarians can act as the enablers of the NTMs discussion while businesses can take on the role of monitoring NTM outcomes in the region.

The challenge of deepening engagement is how to change the mindset of the parliamentarians to provide better leadership that can facilitate a better political and economic environment for business. For business, the challenge is how to cope with the loss of time and opportunities that translate into economic cost.

During the Q&A session:

¹ <http://www.eria.org/ERIA-DP-2017-09.pdf>

Mr. Paolo R. Vergano, Senior Officer of Trade in Goods from ASEAN Secretariat, and Mr. Zahid Ismail from Malaysia Productivity Corporation, acknowledged the key role of parliamentarians in addressing NTMs issues either through public consultation or government consultation.

Hon. Mr. Isra confirmed and explained that public or government consultation on specific issues requires endorsement or support from either the public or parliamentary constituency.

Dato Mohd. Razali Hussain, Director-General of Malaysia Productivity Corporation (MPC), elaborated on the issue saying that there should be engagement between the private sector and government, to work on the issue together.

2) How Standards and Certification Bodies Support SMEs to Facilitate Trade

Mr. Ridzwan Kasim, Senior Director of Standardization Division, Department of Standards Malaysia, presented the case on, 'how standards and certification bodies support SMEs to facilitate trade'. The presentation focused on the importance of standardisation and the possibility of certification bodies supporting SMEs to facilitate their trade.

Accreditation through accredited certification bodies is seen as the best way to maintain the standards for goods and services in the region, because:

- They have the competence to deliver a consistently reliable and impartial service that meets the appropriate, internationally recognised standard;
- Use of accredited certification bodies is a frequently specified requirement for operating in the global market place;
- They can gain access to overseas markets since certificates issued by bodies accredited by a Multilateral Recognition Agreement signatory are recognised and accepted throughout the world.

Standards and certification could help small and medium-sized enterprises (SMEs) assure accuracy, traceability, and reproducibility; and gain recognition in international markets.

In view of the importance of having standards for goods and services in ASEAN, SMEs face several challenges, such as:

- Lack of awareness of the benefits of having standardised products
- Lack of participation in the development of standards in the country
- Lack of funding, and programmes that address the funding issues
- Lack of coordination amongst ministry-agencies.

A case study on the economic impact of the use of standards in the electrical and electronic, food and beverages, and agriculture sectors in Malaysia shows that standards contribute positively to the Malaysian economy. Standards help to increase sales, profitability, and market access (including export) gained through the implementation of standards (and which outweigh the cost arising from compliance with standards).

During the discussion, *Mr. Ridwan* illustrated the challenges of accessibility for standards and certification bodies dependent on private sector initiatives. In addition, he noted that to ensure the implementation of national standards compliance programmes, SMEs must understand how to comply with the standards of the importing country, and should obtain International Organization for Standardization certification to improve the value of their products.

3) Group Discussion: What Parliamentarians Can Do

In the session for the parliaments, members of the parliaments were asked to focus on what they can do to support better regulatory governance. *Tan Sri Datuk Dr. Rebecca Sta. Maria* was the moderator for this session.

Mr. Phung Van Hung, MP (Viet Nam) shared his experiences of how in Viet Nam parliament acted as a connector between the taxi association and the government to produce regulations for Grab and Uber.

Ms. Siti Rozaimeriyanthy binti Dato Seri Laila Jasa Haji Abdul Rahman (Brunei Darussalam's representative) shared how the benefits of a reform which aimed to improve Brunei's ranking in the World Bank's *Ease of Doing Business (EODB)* survey cannot be translated as SMEs' benefits. *Ms. Siti* also emphasised the importance of obtaining parliament's approval when passing laws to further deepen the engagement between parliament and government.

Hon. Gen. Supakorn Sanguanchartsornkrai (Thailand) explained that in Thailand the role of parliament in harmonising standards is limited because NTMs are a very technical subject. *Hon. Gen. Supakorn* also acknowledged the role of the private sector in that it provides the experts on technical standards issues in Thailand and he emphasised that the private sector could help the government and parliamentarians to solve some of the major issues that require a high technical capacity. The session was closed with concluding remarks on the importance of collaboration between government, parliamentarians, and the private sector to enhance regulatory governance.

4) Panel Discussion: The Experience of Business and the Role of ASEAN and Governments in Addressing Regulatory Issues

This session was led by *Mr. Gil L. Gonzales*, and the presenters were *Mr. Danang Giriwardhana* from Asosiasi Pengusaha Indonesia (APINDO); *Dato' Chua Tia Guan* from Pasukan Petugas Khas Pemudahcara Perniagaan (PEMUDAH); *Dr Julia Puspawati Tjaja*, Director of ASEAN Integration Monitoring Directorate, ASEAN Secretariat; and *Tan Sri Datuk Dr. Rebecca Sta. Maria*, Senior Policy Fellow of ERIA.

The discussion emphasised that the mainstreaming and institutionalisation of good regulatory practice should be considered as the solution to reduce regulatory burden, complementing the regulatory reform. Regulatory reform on its own, without any supervising institutional bodies/institutionalised system might be unsustainable. Such unsustainable reform may lead to inconsistencies in the regulatory system that could result in another regulatory burden.

The institutionalisation process requires the involvement of both the government and private sectors to address the regulatory issues. It is expected that institutionalisation can result in GRP in the country. Furthermore, ASEAN can contribute to the implementation of GRP in the region (i.e. by drawing up action plans and guidelines) to speed up regional economic integration.

Regulatory reform as a means to improve its EODB ranking does not necessarily translate into a better situation for businesses in Indonesia. From the perspective of business, the regulatory system has various types of inconsistencies, such as:

- Inconsistencies between the regulatory agencies regarding the regulatory implementation process;
- Inconsistencies between long-term and short-term policy;
- Inconsistencies between policy and regulations;
- Inconsistencies between national regulations and commitments at the international level.

One of the regulatory issues highlighted by APINDO is the implementation of one-stop services (OSS) in Indonesia. Although OSS exists in all provinces, and in almost all regions/cities, it does not work properly. In addition, leadership changes often shift the institutions' policies.

Several recommendations from the business sector should be considered by the government within the context of the regulatory burden issue:

- There should be horizontal and (or) vertical coordination between ministries and government agencies during the regulation-making process;
- Regulatory Impact Assessment should be carried out to evaluate ageing regulations;
- There should be a reward–punishment scheme for civil servants based on their key performance indicators along with capacity building to enhance their technical skills on current issues.

The discussion continued with the notion that institutionalisation of the regulatory burden should also be considered as the solution to reduce the regulatory burden. Malaysia has PEMUDAH, a special task force to address the issues of regulatory burden between business and government. PEMUDAH was assigned to oversee regulatory reform to facilitate business processes. It consists of a collaboration between individuals from the private and public sectors, in which they directly report to the prime minister. There is also the Malaysia Productivity Corporation (MPC), which supports PEMUDAH by providing clear guidelines on continuous regulatory reform, which aims to create GRP in Malaysia.

In the case of Malaysia, addressing the burdens of business can be done by PEMUDAH. The key to better engagement in the PEMUDAH committee is equal status of public and private members, supported by a strong determination to reform on the part of the government. When PEMUDAH was formed in 2007, there was pressure and resistance from the government to engage with the private sector; the government learned how to engage and trust the private sector to solve the problems together by putting in place a system to ensure all initiatives in Malaysia will be sustainable.

The role of ASEAN in addressing regulatory burden has become more pronounced with the explicit recognition of the GRP in ASEAN's economic integration. GRP is explicitly referred to in AEC Blueprint element B7 as 'effective, efficient, coherent and responsive regulations and good regulatory practice' under the second characteristic of 'A Competitive, Innovative and Dynamic ASEAN,' but are also embedded across other characteristics and elements of the Blueprint. GRP contributes to the success of the AEC and ASEAN Community more broadly by facilitating implementation of regional commitments at the national level and contribute to the region's long-term competitiveness.

The principles and spirit of GRP are observed in the AEC work across sectors, as more emphasis is placed on:

- Streamlining processes, improving cooperation and coherence;
- Reducing transaction costs;
- Enhancing stakeholder consultations and engagement;
- Fostering inclusivity and transparency;
- Encouraging monitoring and evaluation and the review process;
- Adapting to changing context e.g. global value chains, e-commerce.

The objective of ASEAN's work on GRP is not to remove regulations, but rather to strike a balance between legitimate policy objectives and minimising regulatory burdens. The key starting point to achieving this objective is to ensure a smooth domestic process and timely ratification of regional agreements to allow implementation of AEC commitments and the realisation of the ASEAN Community Vision 2025.

During the Q&A session, the role of AIPA and government's public engagement were raised. Concerning AIPA, it was noted that as a regional grouping, it can suggest implementation of a sunset provision for certain laws and regulations in AMS, so that each AMS can have a regular review of law and regulation.

Ms. Siti Rozaimeriyanthy binti Dato Seri Laila Jasa Haji Abdul Rahman cited Brunei's experience on using the whole-nation approach – in Malaysia termed the whole government approach – the key point being that there should be no resistance to government engaging with the private sector and other stakeholders.

5) An Introduction to Good Regulatory Practice and Reducing Unnecessary Burden

Dato' Mohd Razali Hussain provided an introduction to GRP and Reducing Unnecessary Regulatory Burden (RURB). Based on Malaysia's experience of the implementation of GRP and RURB in dealing with construction permit regulations, several GRP contributing factors to consider include:

- GRP needs a strategic approach that includes policy statements to be endorsed at the highest level along with strong political leadership to support public and private collaboration in regulatory processes.
- GRP needs to utilise consultation processes, Regulatory Impact Analysis (RIA), regulatory review, and a regulatory mapping process as the tools for achieving better regulations.
- GRP requires coordination between government institutions, such as legislatures, ministries, regulators, judiciaries, and GRP Oversight bodies to work together.

RURB is an important topic to consider since the reduction of regulatory burden may directly help in improving factors that impact productivity. In addition, all regulations are experiments and therefore subject to review and change. Changes are needed as the regulation will pass its 'expiration date', so may not be relevant in today's context.

6) Experience of RURB in the Region: Presentations, Panel Discussion, and Questions and Answers

The session was led by *Dr. Ponciano S. Intal Jr., Senior Economist of ERIA*, along with the presenters – *Dr Abhichon Chandarasen*, Thailand Office of the Council of State; *Henry Sandee*, Senior trade Specialist, World Bank Indonesia; *Dr Nguyen Van Cuong*, General Director, Institute of Legal Study, Viet Nam Ministry of Justice; and *Dato' Mohd Razali Hussain*, Director-General, Malaysia Productivity Corporation.

This session discussed the cases of several ASEAN countries in dealing with RURB. The results of each AMS's approach are mixed, with the key difference being how the government engaged with the private sector. Each ASEAN Member state has adopted a different approach to RURB – Thailand enacted article 77 of the Thai constitution; Indonesia implemented economic reform packages; Viet Nam has undertaken constitutional reform; and Malaysia addressing RURB through PEMUDAH and MPC.

The key to RURB is public consultation, supported by the legislation that facilitates the engagement process. The support of legislation can be in the form of regulatory reform, enactment of the constitution, or establishment of a regulatory body tasked with overseeing the private sector engagement and RURB.

Thailand's experience of RURB started with the enactment of Section 77 of the Thai Constitution, which:

- Allows the state to introduce laws only to the extent of necessity;
- Allows the state to repeal or revise laws that are no longer necessary or unsuitable for the circumstances;
- Obliges the state to ensure that the public has convenient access to the laws and is able to understand them;
- Stipulates that a RIA is required prior to the enactment of a law; and
- Requires government agencies to conduct a public consultation when they want to introduce new regulation.

These new principles result in five steps of reform to be taken by the Thai Government:

- improve the legal database;
- repeal and revise existing laws;
- control the quality of new laws (through RIA);
- change the behaviour of government officers;
- establish a long-term framework and institutions.

In case of the Indonesian government, the launched economic packages still lack a 'results chain' as Indonesia suffers from a complex regulatory environment. The new initiatives by the government were aimed at improving regulations issuance. The challenge of the new initiatives is how to enforce and prepare a sustainable mechanism as the next step of reform.

In the case of Viet Nam, their improved EODB ranking and global competitiveness index are a reflection of their reforms from 1990 as part of the 'Doi Moi' policy up until now. Other than the reform of the laws and regulations, Viet Nam also involves the stakeholders in the stakeholder consultation. The lessons from Viet Nam's reforms are that there should be a strong political commitment, stakeholder engagement, and support from the public and business community to achieve successful regulatory management.

Reaffirming Malaysia's experience of RURB, there are many reasons for the RURB to take place. For instance, there are many regulations that have not worked well – they were either not well written or well enforced, or both, and many are outdated. RURB aims to help regulated businesses to identify regulatory burden, suggest solutions, and present them to regulators in a credible way.

7) Group Discussion: What Parliamentarians in the AMSs can do to support a Pro-Business Regulatory Environment

This special session for parliaments was led by *Dato' Mohd Razali* and it started with comments from each parliament. *Dato' Razali* explained how parliaments can help to create and facilitate a pro-business regulatory environment. Parliaments should focus not only on the economic impact of the pro-business regulatory environment but also on how people can benefit from it more generally. Several remarks by parliamentarians should be considered:

Hon. Gen. Supakorn Sanguanchartsornkrai

Thailand's representative, *Hon. Gen. Supakorn*, promoted Thailandntr.com as an informative portal for exporters and importers to trade with Thailand. However, such facilitation is not reciprocal, as some countries are not transparent while others restrict the information by using only their domestic language. *Hon. Gen. Sanguanchartsornkrai* asked for AMSs, or even the wider region, to create a standardised database that could benefit the whole region.

Hon. Gen. Sanguanchartsornkrai also pointed out that parliamentarians need to use their positions to support the creation of a pro-business regulatory environment. That parliamentarians are committed to giving voice to concerns from every sector of the economy and tasked to monitor their own governments' progress could play a significant role in facilitating a pro-business regulatory environment. Taking Thailand's case as an example, Thai parliamentarians ensure that Thai SMEs (making up the vast majority of businesses in Thailand) and Thai MNCs have an equal position and enjoy equal rights.

Hon. Gen. Sanguanchartsornkrai underlined the importance of cooperation amongst AMSs' parliaments, especially for data collection. He emphasised that data on ASEAN cooperation is either lacking or difficult to obtain.

Ms. Siti Rozaimerianty binti Dato Seri Laila Jasa Haji Abdul Rahman

The Brunei representative, *Ms. Siti*, emphasised the life cycle of the regulation and questioned whether the involvement of parliament in stakeholder consultation will be important, mentioning the Vietnamese case. *Ms. Siti* also said that more youthful parliamentarians are needed to expand the country's economy. According to her, Brunei's Prime Minister has started to bring more youthful members into parliament.

Mr. Phung Van Hung

Viet Nam's representative, *Mr. Phung*, illustrated that Viet Nam's consultation can be summarised in three main processes: a survey on stakeholders' consultation, a public consultation, and a consultation of the national assembly. Although the process of consultations already mimicked that of GRP, *Mr. Hung* admitted that the quality of discussion between stakeholders still needs to be improved. He added that

public consultations need to be initiated now to create a better rule-making process. The case of Viet Nam shows that it is very important to consult at every step of the rule-making process. All policy drafts should be opened for public comments by placing them on the website. Those comments are then compiled into a report, which will be the basis for parliamentarians' consideration when deciding whether to pass the new law to give legal effect to the policy. The reports are also used by the government for conducting its RIA on existing policies.

The session continued with comments from the participants. *Dr. Ponciano S. Intal* mentioned the importance of the full and effective running of the trade repository to contribute to enhancing the trade facilitation in the region; furthermore, joint cooperation between ERIA and EU-ARISE on NTM would accelerate progress. It was noted that support from ASEAN partners such as Australia and New Zealand to fund the capacity building on RIA will be very useful. *Dr. Intal* was also interested in the challenge raised by the Thailand representative, which is the lack of data and technical support for cooperation amongst AMSs.

The session closed with *Dato' Razali* citing *Dr. Ponciano S. Intal's* remark that political will is necessary to achieve sustainable and consistent regulatory reform. It was suggested that AIPA can take action to strengthen the technical capacities of officers to support parliament in making its decisions on the policy review. Collaborating with ERIA can help parliamentarians to solve the issue raised by the Thailand Representative, as ERIA is an effective channel for cooperating with other AMSs.

4. Closing Remarks

Prof. Hidetoshi Nishimura highlighted the importance of AIPA in terms of strengthening the communication with ASEAN, especially in dealing with issues regarding the ASEAN Economic Community (AEC). Parliaments may help to facilitate AEC progress through ensuring smooth legislative processes of actions to implement regional commitments. To solve implementation challenges related to the AEC, strong political commitment is needed. The presence and the role of AIPA could help to strengthen the political commitment for solving the issues surrounding AEC and move forward the integration of ASEAN.

Hon. Mr. Isra Sunthornvut highlighted everyone's role in contributing to the ASEAN Community. To make a difference in their countries and the region, not only do parliaments need to push from the inside of the legislature, but other stakeholders should work together to increase public pressure on governments. He also thanked ERIA and AIPA for arranging the dialogue and the well-coordinated programme, which he found very useful and fruitful for both sides.

Please click the link below to download the presentations:

<http://www.aipasecretariat.org/article/detail/202/1>

Annex 2



REPORT

**Regional Parliamentary Kick-Off Workshop on
“Strengthening Legal Frameworks to Protect Children from Sexual
Exploitation in Travel and Tourism”**

Prepared by:

AIPA Secretariat

Summary Report

Regional Parliamentary Kick-Off Workshop on “Strengthening Legal Frameworks to Protect Children from Sexual Exploitation in Travel and Tourism”

ASEAN Inter-Parliamentary Assembly (AIPA) with the support from ECPAT International and UNICEF EAPRO held a Regional Parliamentary Kick-Off Workshop on Strengthening Legal Frameworks to Protect Children from Sexual Exploitation in Travel and Tourism (SECTT). Attended by 50 participants, the Kick-Off Workshop was convened from 26 to 27 July 2018 in Bali, Indonesia. The workshop targeted parliamentarians from children protection related commissions of AIPA Member Parliaments. 14 parliamentarians from 8 AIPA Member Parliaments participated. Malaysia and Singapore were unable to join due to internal reasons.

The overall objective of the workshop is to share information among ASEAN countries about the existing legal frameworks, identify the gaps and discuss the priority key legal interventions to be undertaken in the region in order to stop the impunity of offenders and protect children from SECTT. The workshop resulted in concrete commitments that will be taken forward at national and regional levels by the parliamentarians.

Divided into eight sessions, the workshop presented nine speakers from ECPAT International, UNICEF, ACWC, INTERPOL, ICMEC, APLE, Indonesian National Police, and Project Karma. The presentations focused on; existing regional and international legal frameworks, regional and global trends in SECTT, online elements in SECTT, regional and international cooperation in combating SECTT, and best practices in legislation. Further, participants were also introduced to the findings of the analysis on national legal frameworks of 10 ASEAN Member States.

To maximize the participation of the participants, parliamentarians were invited to not only extend their questions, but also comments, feedback and reflection on the situation in their respective countries. This not only allowed parliamentarians to gain knowledge from the experts, but also allowed experts to understand the challenges faced in each country. Moreover, the last two sessions were specifically dedicated to obtain significant contribution and commitment from the parliamentarians to combat SECTT.

The workshop was concluded with commitment from the parliamentarians to work closely together to ensure protection of children in travel and tourism and to stop traveling child sex offenders from exploiting children in all South East Asian countries. This commitment was unanimously agreed upon by the parliamentarians through a joint statement.

PROCEEDINGS

Introduction

1. The Regional Parliamentary Kick-Off Workshop on “Strengthening Legal Frameworks to Protect Children from Sexual Exploitation in Travel and Tourism” was held from 26 to 27 July 2018 at Aryaduta Hotel Bali, Indonesia. The workshop was attended by 50 participants including parliamentarians of 8 AIPA Member Parliaments (Brunei Darussalam, Cambodia, Lao PDR, Indonesia, Myanmar, Philippines, Thailand and Vietnam), speakers, guests from government agencies, ASEAN body, NGOs and AIPA Secretariat.

2. Representatives from Parliament of Malaysia and Singapore were absent due to internal reasons.

Program activities of the workshop is attached as Annex A

Participants list is attached as Annex B

3. The workshop was implemented by AIPA Secretariat with the support from ECPAT International and UNICEF East Asia and Pacific Regional Office (UNICEF EAPRO).

4. Ahead of the workshop, legal checklist on SECTT-related legislation of 10 ASEAN Member States were developed. The legal checklist maps out existing legal frameworks in ASEAN countries, and aims to notify ASEAN countries of legal gaps that would inhibit the protection of children from SECTT. It is expected that the checklist would lead to the identification of key legal interventions to be undertaken in the region, in order to stop the impunity of offenders and protect children from SECTT.

5. The overall objective of the workshop is to share information among ASEAN countries about the existing legal frameworks, identify the gaps and discuss the priority key legal interventions to be undertaken in the region in order to stop the impunity of offenders and protect children from SECTT. The workshop will result in concrete commitments that will be taken forward at national and regional level by the parliamentarians.

Concept note of the workshop is attached as annex C

Day One
Thursday, 26 July 2018

Opening Ceremony

1. Four speakers presented their remarks at the opening ceremony: 1) Hon. Mr. Wanchai Roujanavong, Vice Chair of ASEAN Commission on Women and Children (ACWC) and Thailand's Representative to the ACWC for Children's Rights, 2) Ms. Grace Agcaoili, Acting Regional Advisor, Child Protection Specialist, UNICEF EAPRO, 3) Mr. Robbert van den Berg, Executive Director of ECPAT International, and 4) Hon. Isra Sunthornvut, AIPA Secretary General.
2. **Hon. Mr. Wanchai Roujanavong** expressed his gratitude for the implementation of the project initiative. He reminded the meeting on the importance of collective effort in combating sexual exploitation of children, especially in travel and tourism.
3. **Ms. Grace Agcaoili** in her remarks extended UNICEF's sincere thanks to AIPA, and ECPAT International as the co-organisers of this important and valuable meeting. She also acknowledged the support from WePROTECT Global Alliance to End Child Sexual Exploitation for making this initiative possible. She expressed her expectation from the workshop; child protection systems will be strengthened through reviewing and strengthening child protection legal frameworks in the region through the lens of travel and tourism.
4. Further, Ms. Grace Agcaoili explained the online element in SECTT. She also updated the meeting on the recent initiatives at the ASEAN level in combating child sexual exploitation and abuse. She closed her remarks by thanking the distinguished parliamentarians for joining the workshop and expressing readiness of UNICEF and agencies invited to the workshop, to support governments across the region and ensure that legal frameworks are robust, harmonized, and consistent enough.

Opening remarks of Ms. Grace Agcaoili is attached as Annex D

5. **Mr. Robbert van den Berg**, Executive Director of ECPAT International started his remarks by welcoming all the participants to the workshop. He briefly explained about ECPAT International and its scope of work. He sincerely thanked AIPA Secretary General Isra Sunthornvut for taking the initiative to organize the kick-off workshop by involving parliamentarians. He informed the meeting that ECPAT had its first

International Summit on Child Protection in Travel and Tourism in June in Bogota, where Secretary General Isra Sunthornvut also attended.

6. In his remarks, Mr. Van den Berg also stated that the workshop is an expression of AIPA's commitment on children protection. He mentioned that harmonizing laws between countries and across region is a need, and this includes strengthening or developing reporting system. In this regard, on behalf of ECPAT International, Mr. Van den Berg expressed his support to facilitate the harmonization process. He closed his remarks by saying that this is the time to narrowing the gaps in regional and domestic laws, and that he looked forward to hearing ideas from the participants to make it reality.

Opening remarks of Mr. Robbert van den Berg is attached as Annex E

7. The last remarks of the opening ceremony was presented by **AIPA Secretary General Isra Sunthornvut**. In his remarks, Hon. Sunthornvut admitted that SECTT is an uncomfortable issue. However, this is a borderless issue that affects all countries in the region. He reminded the meeting that their presents at the workshop is to protect children, to explore the gaps and fill it in. He believed that series of discussion and dialogue can bring to the path to find regional standard.
8. Hon. Sunthornvut explained in his remarks that legislation is a reaction, that legislation reacts to problem. He expressed his confidence that the workshop not only an avenue for parliamentarians to learn from the experts, but also gives opportunity to the experts to learn from parliamentarians on the limitations or challenges. He closed his remarks by thanking all participants, and though it is an uncomfortable issue, he hoped it will lead to a productive discomfort.

Session I: ASEAN Framework for Protection of Children from Various Forms of Sexual Exploitation and Abuse.

1. The session was moderated by Ms. Putri Maha Lima, Director of Policy, Education and Publicity of AIPA Secretariat. Before she started the session, she presented structure and objective of the workshop to the participants.
2. She opened the session by introducing the speaker; Hon. Wanchai Roujanavong, ACWC Vice Chair, Thailand's Representative to ACWC for Children's Rights.

3. In his presentation, Hon. Roujanavong explained about the existing regional and international legal frameworks on children protection. He stated that SECTT is a serious violence of children's rights and it's our responsibility. He encouraged parliamentarians to produce proper legislation to protect children.
4. He further explained about the ASEAN Regional Plan of Action on the Elimination of Violence against Children (ASEAN RPA on EVAC) which comprises of 8 actions; 1) prevention, 2) protection, responses and support services, 3) legal framework, 4) prosecution and justice system, 5) capacity building, 6) research and data collaboration, 7) management, coordination, monitoring and evaluation, and 8) regional review and communication.
5. Hon. Roujanavong explained that ACWC has been undertaking efforts to promote comprehensive national legislation to address online child sexual exploitation. He also mentioned in his presentation that UN Convention on the Rights of the Child (UNCRC) is the main instrument in protection of children from sexual abuse, including in tourism. In this regard, Hon. Roujanavong stated that UNCRC is the international standard and ASEAN legal frameworks should be beyond or at least follow the regional instrument. He closed his presentation by reiterating that ASEAN RPA on EVAC is the existing and one of the most important regional frameworks for ASEAN Member States to follow.

Presentation of Hon. Wanchai Roujanavong is attached as Annex F

6. Moderator then invited the meeting for dialogue session. In this session, participants raised several points to discuss, such as; common issues in ASEAN which cause challenge to children's rights, the importance of understanding the difference between the definition of child sex offenders and pedophilic disorder, as well as clarification on the law that regulates punishment for the possession of pornography materials.

Session II: Global and Regional Trends of Sexual Exploitation of Children in Travel and Tourism (SECTT)

1. The session was moderated by Ms. Rangsimma Deesawade, ECPAT Regional Coordinator for Southeast Asia. The session presented Ms. Gabriela Kühn and Mr. Seila Samleang. Ms. Gabriela Kühn is the Head of Programme of ECPAT International on Child Protection in Travel and Tourism, while Mr. Seila Samleang is the Executive Director of Action Pour Les Enfants (APLE).

2. Ms. Gabriela started her presentation with introduction to ECPAT International. She then continued her presentation by giving information to the participants about the global and regional overview. The finding of the [research](#) led to reaction and action. She highlighted the key findings of the global study, and explained that SECTT is not only about international travelers, but also domestics and regionals. She further explained about view SECTT cases that not only involve pedophiles, but also situational travelers. She also underlined another trend; voluntourism which allows direct access to children, and is still not regulated in Southeast Asia.
3. Ms. Kühn continued her presentation by mentioning that SECTT not only caused by numbers of travelers coming to the region, but also because the poverty, impunity and culture of acceptance. SECTT is a crime and needs to be addressed in practice way, cross-border and multi-stakeholder efforts. She then mentioned that ECPAT Global Study produced 46 recommendations and they addressed governmental bodies, law enforcements, international and regional inter-governmental bodies, NGOs and private sectors.
4. Ms. Kühn recalled the first International Summit on Child Protection in Travel and Tourism last June which brought together governments, UN Agencies, the private sectors as well as AIPA. The Summit concludes a very concrete [Call for Action](#) which also can guide works of parliamentarians. Following are the main points; 1) work on strong and sustainable evidence-based awareness, 2) proactive, comprehensive, context-specific and sustainable prevention which includes implementing standards on child protection, 3) strong and effective legal frameworks, 4) developing reporting system, 5) strengthen cooperation between law enforcement and justice system, and 6) ensure access for all children to justice system, comprehensive care and full recovery.

The power point presentation of Ms. Gabriela Kühn is attached as Annex G

5. The session continued with presentation from Mr. Seila Samleang from APLE Cambodia. He started his presentation by introducing his organization. Mr. Samleang presented the current trend of SECTT practice in Southeast Asia by showing the data of tourist arrivals in Cambodia, and the findings of the research done by APLE. According to the research, between 2003 to 2015, less and less SECTT is visible in public places. Hotels are now regulated, and this has decreased the numbers of child sex offenders bring child to hotel. Instead, the Location of abuse now mainly the private home of offenders, although access to children first obtained in public places.

6. Mr. Samleang presented view case studies in his presentation and showed how internet plays its role in facilitating SECTT. Online child sex abuse and exploitation (CSAE) is currently an emerging form of CSAE mediated by the internet. Websites, social media and other ICT platforms utilized to facilitate abuse. He used case study in the Philippines as an example. He also explained briefly about the update on applicable laws in Cambodia dealing with child sex abuse and exploitation.

The power point presentation of Mr. Seila Samleang is attached as Annex H

7. Upon conclusion of the presentation, Ms. Rangsima Deesawade invited the floor for questions, feedback and/or reflections.
8. The first question came from AIPA Secretary General Isra Sunthornvut, asking about what kind of observation or recommendation to the participating parliamentarians could the speakers give. In the context of legislation, which countries are practicing the best to tackle the issue.
9. The next question came from Cong. Divina Grace Yu of the Philippines. In connection with the slides which stated that there is big drop in the incidents of child sexual abuse and exploitation in Cambodia from 2017 to 2018. In this regard, Cong. Yu asked the speaker to share on what the country has done to cause the big drop, so she could learn and perhaps emulate such measures, as she saw that online child sex abuse and exploitation is also prevalent in the Philippines.
10. The third question was from Ms. Siliphaithoun Xayamoungkhoun from UNODC Lao PDR. She asked speakers to share on how to develop partnership with cross-cutting sectors such as; guesthouse, hotels, travel agencies, etc.
11. The last question was from Mr. Glen Hulley from Project Karma. Mr. Hulley asked about what the both speakers and their institutions have learned from all the studies for the purpose of preventing the crime. He stated that prosecuting the offenders is great, but it would be more great to prevent the crime from happening.
12. Speakers responded to the questions and the session was continued with discussion. MP Nik Hafimi raised about the element of cross-border trafficking in the child sexual exploitation and abuse. MP Jintanant Chaya Subhamitr shared the challenges that Thailand is currently facing. She stated that strong legislation is important, but it must be followed by proper implementation.

Session III: Australian Law – Travel Ban on Child Sex Offenders

1. This session was moderated by Ms. Emma Day, Child Protection Consultant of UNICEF EAPRO. The session presented Mr. Glen Hulley, Founder of Project Karma as the speaker. Mr. Hulley introduced his foundation to the participants, and briefly explained about what they do on the issue of SECTT.
2. He stated that investigation and rehabilitation or after care of the victims are reactive. Further, he conveyed to the meeting that what he sees as long term and sustainable means to detract this issue from around the world is legislation. In order to create good laws, good understanding on what we are dealing with is needed. However, according to his experience having consulted to 15 different countries, including Australia, there is still poor understanding.
3. Mr. Hulley traced back to 2015 when the confidential data from child sex offender's registry in Australia showed that 25 registered child sex offenders from Australia traveled to Bali, while 250 traveled to the Philippines. Compared with the numbers of child sex offenders travel to Europe and other regions, 80% traveled to Southeast Asia.
4. He then shared the story of how the law was enacted. By involving media personality, a strategy to raise awareness on this issue was developed. In 2016, a year after the awareness program kicked off, political parties started to join. Within seven months, the draft legislation was created and presented to the parliament. The draft legislation was passed and the law was enacted in 2017. The law enables authority to deny the ability of child sex offenders to obtain passport.
5. The session was continued with Q&A and discussion.
6. Mr. Glen Hulley then briefed the participants for the field visit.

Field Visit to the Safe House Pondok Gerasa in Tabanan

1. Participants were welcomed by the Director and Founder of Pondok Gerasa, Ms. Yohana and Mr. Andy Prawira and all the staff of the safe house.
2. The participants were invited to listen to the presentation from Mr. Glen Hulley of Project Karma, about the Project Karma Foundation and its Sentinel Model.

3. Ms. Yohana presented brief presentation to the participants about the safe house and how it works to support child victims. Mr. Andy Prawira also talked briefly about how the safe house works together with the community in protecting children. Participants were invited to the open discussion. The field visit was co-organized by Project Karma.

Day 2

Friday, 27 July 2018

1. The second day of the workshop was opened with a reflection of what have been done on the first day. The session was led by AIPA Secretary General Isra Sunthornvut and moderated by AIPA Deputy Secretary General, Mario Pandu Dewono. SG Isra Sunthornvut invited the floor to share their comments regarding the sessions on the first day, and also inputs and expectation for the second day.

Session IV: Cross-Regional Cooperation (Legal and Operational) for Borderless Sexual Crimes against Children

2. The session was moderated by Mr. Mario Pandu Dewono, AIPA Deputy Secretary General, and presented two speakers; Mr. Bruno Desthieux and AKP Muhammad Agustiawan. Mr. Bruno Desthieux is the Criminal Intelligence Officer of INTERPOL, and AKP Muhammad Agustiawan is the Head of Sub-Unit of Cyber Crime of Indonesian National Police.
3. Mr. Bruno Desthieux presented a perspective from law enforcement on SECTT crime. His presentation was about general overview with regional aspects of the transnational child sex offenders. He started his presentation by explaining different definitions of transnational child sexual offenders. INTERPOL has identified some patterns and categorized the definitions, and this not only includes western offenders, but also domestic.
4. He explained about the necessary legal and preventive measures, and one of the priority is the confiscation of the passport of child sex offender. Other measure is the national child sex offenders registry. This is not only important for a country, but also for other countries. Hence, access to the registry has to be granted to acknowledged investigators. However, the child sex offenders registry has to comply with human rights values. In this regard, Mr. Desthieux stated that it is important for parliamentarians to know and understand what happens in other countries as well. He

then shared a concept of cross-regional cooperation in enhancing intelligence information sharing.

5. He closed his presentation by reminding the participating parliamentarians that they are the front line actors, and asking them to forward the information to their colleagues. He stated that if the concept works, it is expected that within 2-4 years all singles convicted child sex offenders would not be able to travel without being spotted and monitored.

The power point presentation of Mr. Bruno Desthieux is attached as Annex I.

Due to sensitive contents, the presentation materials of Mr. Bruno Desthieux should not be disseminated over the internet or any social media platform, nor distributed to other public than the attendees.

6. The session was continued with presentation from AKP Muhammad Agustiawan of the Cyber Crime Unit of Indonesian National Police (INP). AKP Agustiawan presented the statistical data of internet use in Indonesia. He explained that Cyber Crime Unit of INP is divided into two; computer crime and computer related crime, and online child sex abuse is categorized as computer related crime. He also explained the mechanism on how cases that involve children are handled in the Cyber Crime Unit of INP. The mechanism includes legal assistance, health service, social rehabilitation service, law enforcement and reintegration of the victims to the family and society.
7. AKP Agustiawan shared the information on cross-institutional cooperation done by the Cyber Crime Unit of INP in regards to handle crimes involving children. The cooperation involves related ministries and government institutions, National Commission on Children Protection (KPAI), National Agency for Witness and Victims Protection (LPSK) and NGOs. He also provided some cases of online child sexual abuse and exploitation.
8. AKP Agustiawan explained about the international cooperation between INP and other international institutions such as INTERPOL, UNICEF, ECPAT, etc. The cooperation covers; exchange of criminal and intelligence information, joint investigation, joint operation, Mutual Legal Assistance in criminal matters (MLA), etc. He concluded his presentation by presenting challenges and recommendations. One of the recommendations is asking AIPA to involve social media platforms, private sectors and judiciary system to join the next workshop, to synchronize perception .

Power point presentation of AKP Muhammad Agustiawan is attached as Annex J

9. Following the presentations from speakers, moderator invited the floor for questions, comments and/or feedback.
10. MP Jintantant Chaya Subhamitr raised once again the issue faced by Thailand on the bail available for child sex offenders. The meeting further discussed on what the parliamentarians could do to overcome the issue.
11. SG Isra Sunthornvut responded to the recommendation from AKP Agustiawan to involve social media platforms and judiciary system in the next workshop. He explained that the original plan on the partnership with ECPAT and UNICEF is to have the workshop in series. The workshops will gradually involve actors, including social media and judiciary system.
12. AKP Agustiawan shared the challenge faced by investigators in requesting information from social media platform like Facebook, as they store the data far away in Europe. So it takes long coordination.
13. Responded to the statement from AKP Agustiawan, MP Rahayu Saraswati Djojohadikusumo from Indonesia urged fellow parliamentarians to together, as ASEAN parliamentarians, put pressure on internet service providers and content providers such as social media platforms to share information. Further on the plan for the next workshop, she suggested to not only involve social media platforms and judiciary system, but also to involve the banking system. She believed that there needs to be law in place.

Session V: Online Element in Sexual Exploitation of Children in Travel and Tourism

1. The session was moderated by Ms. Rangsim Deesawade from ECPAT International and presented two speakers; Ms. Emma Day, Child Protection Consultant of UNICEF EAPRO and Ms. Bindu Sharma, Asia Pacific Policy Director of International Centre for Missing and Exploited Children (ICMEC).
2. Ms. Emma Day opened her presentation by recognizing the positive benefits of information and communication technology. However, child sex offenders also have access to the same technology that enable them to access children through chat rooms, game rooms, or even disseminate their abuse on live stream. Child sex

offenders could develop anonymous profiled and plan travel to visit and abuse the children. They now have easy access to technology that allows them to record their abuse and upload them in the internet using clouds, so they don't have to carry any materials that will get them into trouble when they cross the border. Further, when child sex offenders use social media apps to communicate or download or upload child sex abuse materials in the internet, law enforcements may be able use technology to locate and prosecute the perpetrators and also to identify the victims.

3. Ms. Emma Day introduced the WePROTECT Model National Response framework, which was developed by the WePROTECT Global Alliance, specifically to establish and develop a coordinated national response to online child sexual exploitation. This framework also provides very useful guidance to address the online aspects of child sexual exploitation in travel and tourism, particularly under the headings of Policy & Governance and Industry. She informed the meeting that the legal checklist will be expanded by including the online elements of child sexual exploitation in travel and tourism.
4. Ms. Emma Day recalled two related ASEAN events which concluded with some recommendations; ACWC Regional Workshop and ASEAN Inter-Sectoral Dialogue. The regional workshop concluded with two recommendations; reviewing national laws in relation to online child sex abuse, and improving national laws through identifying minimum requirements for national legislation to prevent and combat online child sexual exploitation. She ended her presentation by recalling one of the recommendations produced from the ASEAN Inter-Sectoral Dialogue on Integrated National Responses to End Sexual Exploitation and Abuse of Children Online in ASEAN; harmonizing child protection laws and policies in ASEAN countries.

Power point presentation of Ms. Emma Day is attached as Annex K

5. The session continued with presentation from Ms. Bindu Sharma from ICMEC. Ms. Sharma started her presentation with the introduction to her organization ICMEC and its works in child protection, such as; ground breaking research and localized responses, global capacity building, and global campaigns.
6. Ms. Sharma presented data from December 2017 on internet users in the world by region, which shows that almost half of the world population online are in Asia, and 1/3 are children. Further, Ms. Sharma provided data from CYBERTIPLINE Reports which showed numbers of reports made by public on the incidents happened online. She also mentioned that live streaming is a new trend and it needs to be addressed comprehensively. Further,

the increased use of electronic payment and digital currency is also something that needs to be further discussed.

7. Ms. Sharma also mentioned in her presentation, some international legal standards in children protection such as; UN Convention on the Rights of the Child (UNCRC) and its optional protocols, ILO Convention¹⁸² Elimination of the Worst Forms of Child Labour, and The UN Convention Against Transnational Organized Crime. Moreover, she stated that ASEAN has not being quiet on this issue. This is shown from the 1997 ASEAN Declaration against Transnational Crime, 2004 ASEAN Declaration against Trafficking in Person especially Women and Children, and the latest one is the 2015 ASEAN Regional Plan of Action on the Elimination of Violence against Children (ASEAN RPA on EVAC).
8. ICMEC has been doing a Global Review of Child Pornography Legislation in 184 INTERPOL member countries. The research is looking at country legislation based on 6 criteria; 1) proper definition of child, 2) proper definition of child pornography, 3) offences specific to child pornography, 4) criminal penalties for parents or legal guardians acquiescing to child pornography, 5) criminalize those who make known where to find CP; 6) punish attempt crimes. She further presented components of proper legislative framework.

Power point presentation from Ms. Bindu Sharma is attached as Annex L

9. After presentation is completed, moderator invited the floor for questions and comments.
10. First response came from Hon. Wanchai Roujanavong from ACWC Thailand. He provided an update; Thailand is currently drafting a law to deal with online child sex abuse and exploitation. However, there is still a debate whether a new specific law is necessary, or amendment on the existing law is enough.
11. A question came from MP Rahayu Saraswati Djojohadikusumo of Indonesian Parliament, asking about the capacity building program of ICMEC. She asked whether ICMEC also has the program in Indonesia, and how often they do the program. The question is related with the employee rotation policy in Indonesia. To have sustainable impact, the capacity building should be convened regularly.

Session VI: Status of national legislation frameworks against SECTT in South East Asia

1. The session was moderated by Hon. Mr. Isra Sunthornvut, Secretary General of AIPA Secretariat and presented Ms. Dorine van der Keur as the speaker. Ms. Van der Keur is Legal Consultant of ECPAT International.

2. Ms. Van der Keur introduced several recommendations from the legal checklist that had been circulated to all AIPA Member Parliaments before the workshop. She also presented the findings of the analysis of national legal frameworks in 10 ASEAN Member States on that particular recommendations. This is an interactive session, where the Member Parliaments were invited to share their comments, reviews, and inputs on the findings.

The list of recommendations is attached as Annex M

3. Ms. Van der Keur started with recommendation no.4; **deny entry/travel of persons convicted of sexual exploitation of children or set up strict conditions for their travel**, addressed to Cambodia. Mr. Seila Samleang from APLE Cambodia confirmed that Cambodia has the law. He further explained, that the immigration law says if a person is considered impending national security, he/she will be rejected to enter the country or travel outside the country. However, the definition of national security does not directly address the child.
4. Further to the recommendation, MP Nik Hafimi binti Abdul Haadii explained that in Brunei, following the internal guidelines, barring of entry is under the immigration department, and it will always be by recommendation from the Police.
5. Moving forward to the recommendation no. 8; **Exclude sexual offences against children from bail or establish bail conditions that disable the (alleged) offender from travelling outside of the country**, MP Jintanant Chaya Subhamitr shared that bail is a challenge in Thailand. The authority could not stop those who are on temporary release to travel, as 90% of foreign offenders will be immediately flying back to their countries. The situation is different in the Philippines, where the general rule is; the judge will assess whether the offender is at risk of escaping abroad or not. Above all the laws, the judge has the power to grant bail or not.
6. The recommendation no. 11; **Mandatory reporting of sexual exploitation of children and robust and safe reporting mechanisms**, MP Thavisay Phathanas confirmed that Lao PDR does have the law. Further she informed that Lao PDR has a National Commission on Protecting the Rights and Interest of the Child. Lao PDR also has the law on preventing and combating violence against women and children, and it regulates the reporting mechanism.

7. The recommendation no. 12; **Government-regulated child protection standards for the tourism industry**, was addressed to Philippines. Cong. Divina Grace C Yu confirmed that the law does exist. However, it is not mandatory as there should be someone files a complaint before it could get to the court.
8. MP Nik Hafimi binti Abdul Haadii confirmed that Brunei has the law on **criminalise the organisation of sexual exploitation of children and establish corporate criminal and civil liability**.
9. Regarding the recommendation to **prohibit the use of international volunteers/'voluntourism' in children care centers and in activities with direct child contact**, MP Saraswati Djojohadikusumo asked for clarification; to what extent this recommendation should be implemented. Ms. Dorine responded by emphasizing the need of police clearance certificate for any working-professional level. In this regard, Mr. Bruno Desthieux informed that INTERPOL is currently working on providing global police clearance certificate. He explained that the clearance can be provided in three ways; 1) from the countries where volunteer is coming from, 2) from the last country volunteer has claimed to have been working, and 3) from the destination country.
10. Thailand representative MP Jintanant Chaya Subhamitr commented on the recommendation for **mandatory criminal background checks for every national and non-national person applying to work with children**. She pointed out the procedural differences between the public school and private school. Background check is mandatory in public school in Thailand, while private schools do not require such procedure. The document has to be certified in the Thailand Consulate and can only be used in Thailand.
11. Indonesia representative MP Rahayu Saraswati Djojohadikusumo responded to the recommendation 18; **establish the protection measures for child victims taking part in the criminal investigation against the suspected perpetrator**, by explaining the situation in Indonesia. She explained that the law has been made by the legislative but the implementation has not yet to be done. The law tells only about the rights of the victims and witnesses, but no measures against the suspected perpetrator.

Power point presentation of Ms. Dorine van der Keur is attached as Annex N

Reaching consensus on 'Agreed legislative interventions to protect children from SECTT'

1. In this session the participants were divided into four groups; 1) Brunei Darussalam and Indonesia, 2) Vietnam and Myanmar, 3) Thailand and Cambodia, and 4) Laos and The Philippines. The groups discussed about the legislative interventions to protect children from sexual exploitation in travel and tourism (SECTT), based on the recommendations of legal checklist presented at the previous session.
2. Brunei Darussalam and Indonesia were presented by MP Nik Hafimi binti Abdul Haadi and MP Rahayu Saraswati Djojohadikusumo. As the situation in the two countries were different, they decided to choose different recommendations. Brunei Darussalam decided to improve three sectors as recommended in the legal checklist; 1) setting up strict conditions for person convicted in the sexual exploitation activities, 2) the development of sex offender registry, and 3) introducing the law on mandatory criminal background check for every national or non-national applying for work in children sector. While Indonesia decided to choose recommendation to exclude bail for sexual offender. However, she said that it is hard to completely take away the right, but certainly will put the regulation that restrict the perpetrators' right into place. She informed the meeting that Indonesian Government is currently working on establishing protection measure and child-friendly interview methods. She further recommended every ASEAN Member States to share their checklist on best practices for the reference of other countries.
3. Vietnam and Myanmar were presented by Ms. Nguyen Thuy Linh from Vietnam. Both countries agreed with Brunei Darussalam and Indonesia to develop sex offender registry and establish strict bail conditions for sexual offenders. Ms. Nguyen for clarification on the principle of double criminality for sexual offences. She added sub recommendations for international organization such as ECPAT and UNICEF to assist the parliaments in drafting the law to combat SECTT in the region. She also emphasized the need to fill the gaps among AIPA Member Parliaments by sharing their best practices.
4. MP Jintanant Chaya Subhamitr from Thailand presented the group of Cambodia and Thailand. She explained that there were priority differences between Thailand and Cambodia. However, both agreed to set up strict conditions for persons convicted in sexual exploitation and also to develop sex offender registry. Thailand set the following recommendations as their priority; 1) adoption of an age of consent of 18 years to ensure every offence committed against children under 18 must be penalized, 2) imposing more severe sentences for recidivists who commit sexual offences against children, 3) establish protection measures and child-friendly interrogation for both national and non-national

child victims. She said that the group agreed that the law on the child protection should be amended. Mr. Seila Samleang added, the challenges facing by the countries was on how to collaborate in sharing information, such as in developing joint child sex offender registry among ASEAN Member States. He also mentioned the need to bring up this issue to AIPA mechanism, such as Caucus or General Assembly.

5. The group of Lao PDR and the Philippines was presented by MP Thavisay Phathasan, from Lao PDR. She pointed out five priorities; 1) deny entry/leave for those who are convicted in sexual exploitation of children, 2) develop a sex offender registry that complies with international standard, 3) impose more severe sentence for recidivists who commit sexual offences against children, 4) establish obligatory-regulated child protection standard for the tourism industry, and 5) introduce criminal record check for national and non-national applying for working with children. She further explained that the suggestions would confront some challenge in the implementation, such as the lack of skill to implement the law and how to disseminate the law to general public.
6. Cong. Divina Grace C. Yu added, that aside from the five recommendations, Philippines was concerned towards; 1) make mandatory reporting of any suspected sexual exploitation and establish an effective system for dealing with the report, and 2) criminalize the organization of travel agents that engage in SECTT activities and ensure by law that the companies are liable.

A way forward of AIPA's collaboration with stakeholders in prevention and combatting SECTT

1. This last session was moderated by Hon. Mr. Isra Sunthornvut, Secretary General of AIPA Secretariat. He emphasized that the workshop was the first step towards a serious step to expand the ideas that have been discussed into concrete action, as well as to harmonize the standard of the countries' legislation of ASEAN Member States. He encouraged all participants, especially the parliamentarians, to share on what they want to focus and achieve in this workshop as a member of parliament and as a civil society that were present in the workshop.
2. MP Rahayu Saraswati Djojohadikusumo suggested to invite the same participants, especially the parliamentarians, to the next workshops.
3. Hon. Nik Hafimi recalled the main goal of AIPA to harmonize the law. Therefore, ASEAN countries need an agreeable benchmark-level to achieve the best practices for every ASEAN country.

4. MP Rahayu Saraswati Djojohadikusumo added the need to make a joint-statement among the countries to working towards a goal in the region and spread it through media. She also emphasized that this goal is not only to be achieved by the Member of Parliaments alone, but together with ASEAN body, NGOs and the civil societies that present in the workshop.
5. Ms. Amihan Abueva from CRC Asia raised an issue about different national budget in every ASEAN country, therefore the key question regarding the national budget needs to be addressed to the executive and sectoral bodies and make sure it is within the country's national agenda.
6. ACWC representatives, Hon. Mr. Wanchai Roujanavong and Ms. Yuyum Fhahni Paryani sought for the possibility to disseminate the result from the workshop to all other Member of Parliaments and also to ASEAN sectoral bodies.
7. Mr. Bruno Desthieux emphasized that INTERPOL works as a technical body and could provide technical advice to the Member of Parliaments for SECTT-related topics and help shaping in-depth measures and assist for the law-making steps.
8. Realizing the differences situation and characteristic between countries, MP Jintanant Chaya Subhamitr from Thailand requested AIPA to compelling the best practices from countries in the world to be used as reference by ASEAN countries.
9. ECPAT International, UNICEF EAPRO, INTERPOL, APLE, Project Karma and other NGOs present at the workshop expressed their readiness to work together with the government to close the gaps in the SECTT issues as well as to build a cooperative network.
10. Ms. Dorine van der Keur and Mr. Robbert van den Berg from ECPAT International suggested to finalize the legal checklist that has been done by the countries as a database of best practices and to monitor the progress. They thanked the parliamentarians for working together and have a sense of urgency in this matter, and hoped to continue the work after returning to their respective countries.
11. To conclude the session, and also to follow the suggestion from MP Rahayu Saraswati Djojohadikusumo, a draft statement on the commitment of the participants to work closely together to ensure protection of children in travel and tourism was flashed on the screen for approval. In general, the parliamentarians unanimously agreed on the

draft statement. However, other additions to the legal checklist are welcomed to be discussed in the next workshop.

The draft statement is attached as Annex O

Closing Ceremony

1. The closing ceremony presented three speakers; Ms. Grace Agcaoili from UNICEF EAPRO, Mr. Robbert van den Berg from ECPAT International, and Hon. Isra Sunthornvut, Secretary General of AIPA.
2. **Mr. Robbert van den Berg** in his remarks recalled the presentations presented the last couple days which showed that progress has been made. However, he reminded the meeting that there is also long way to go. He also recalled the presentation from Project Karma on the change in Australian law. He mentioned that the way it happened with media campaign and pressure to government doesn't necessarily works the same with other countries.
3. He acknowledged the kick-off workshop as a success. He encouraged the parliamentarians to bring the result home and AIPA to take this forward. He ended his remarks by thanking the speakers for sharing their insights, UNICEF for the continued support, AIPA for organizing the workshop perfectly, and parliamentarians for their presence and contribution to the workshop. He hoped that parliamentarians find the workshop useful, and also hoped to see them again at the next workshop.
4. **Ms. Grace Agcaoili** thanked Secretary General Isra Sunthornvut for the very first official partnership with AIPA. Realizing the importance of the role of parliamentarians, UNICEF has long wanted to collaborate with AIPA. UNICEF viewed the role of parliamentarians in law making, budget-approving, and overseeing. Ms. Agcaoili invited the participating parliamentarians to look at the ASEAN Regional Plan of Action on the Elimination of Violence against Children, which was adopted by the Heads of States of all ASEAN Member States.
5. Ms. Agcaoili addressed an issue about dichotomy between child rights and human rights. She emphasized that human rights cannot be used as an excuse to negate the rights of others especially those are more vulnerable like children, that human rights must be respected in our efforts to protect children. She ended her speech by encouraging parliamentarians to use participatory approach by involving children in

law making process, as things that are happening in children's lives including those happening online are things that they know better than anyone else.

Closing remarks of Ms. Grace Agcaoili is attached as Annex P

6. **AIPA Secretary General Isra Sunthornvut** started his remarks by individually thanking APLE, Project Karma, ICMEC, INTERPOL, ACWC, INP, ECPAT and UNICEF for giving the opportunity to gain and exchange information and to gain new knowledge. He especially thanked ECPAT and UNICEF for their support in making this workshop happen. He also thanked the distinguished parliamentarians for making the effort to come and contribute to the workshop. He concluded his remarks by thanking the AIPA Secretariat staff for organizing the workshop smoothly.

GALLERY





+6221 571-5511 - +6221 571-5691 | +6221 573-1319

Jl. Jend. Gatot Subroto, Senayan, Jakarta Pusat, Daerah Khusus Ibukota Jakarta 10270
6th Floor, Nusantara 3 Building, DPR RI Compound Indonesia