
The ASEAN Charter

A COMMENTARY

By Walter Woon

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Donald R Rothwell, David Letts



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Human Rights and Participatory Politics in Southeast Asia Catherine Renshaw, 2019-02-18 In Human Rights and Participatory Politics in Southeast Asia Catherine Renshaw recounts an extraordinary period of human rights institution building in Southeast Asia She begins her account in 2007 when the ten members of the Association of Southeast Asian Nations ASEAN signed the ASEAN charter committing members for the first time to principles of human rights democracy and the rule of law In 2009 the ASEAN Intergovernmental Commission on Human Rights was established with a mandate to uphold internationally recognized human rights standards In 2013 the ASEAN Human Rights Declaration was adopted as a framework for human rights cooperation in the region and a mechanism for ASEAN community building Renshaw explains why these developments emerged when they did and assesses the impact of these institutions in the first decade of their existence In her examination of ASEAN Renshaw asks how human rights can be implemented in and between states that are politically diverse Vietnam and Laos are Communist Brunei Darussalam is an Islamic sultanate Myanmar is in transition from a military dictatorship the Philippines and Indonesia are established multiparty democracies while the remaining members are less easily defined Renshaw cautions that ASEAN is limited in its ability to shape the practices of its members because it lacks a preponderance of democratic states However she concludes that in the absence of a global legalized human rights order the most significant practical advancements in the promotion of human rights have emerged from regional institutions such as the ASEAN

International Intellectual Property and the ASEAN Way Elizabeth Siew-Kuan Ng, Graeme W. Austin, 2017-10-05 Presents a unique interoperability model for regional and international integration of intellectual property laws based on cooperation the ASEAN Way

Law of the Sea in South East Asia Donald R Rothwell, David Letts, 2019-07-19 The United Nations Convention on the Law of the Sea LOSC represents one of the most successful examples of multilateral treaty making in the modern era The convention has 168 States parties and most non signatory States recognise nearly all of its key provisions as binding under customary international law including the United States Nevertheless there remain significant differences in interpretation and implementation of the LOSC among States as well as calls on occasion for its amendment This book analyses the impact influence and ongoing role of the LOSC in South East Asia one of the most dynamic maritime regions in the world Maritime security is a critical issue within the region and it is separately assessed in light of the LOSC and contemporary challenges such as environmental security and climate change Likewise navigational rights and freedoms are a major issue and they are evaluated through the LOSC and regional state practice especially in the South China Sea Special attention is given to the role of navies and non state actors Furthermore the book looks at regional resource disputes which have a long history These disputes have the potential to increase into the future as economic interests and concerns over food security intensify Effective LNG and fisheries resource management is therefore a critical issue for the region and unless resolved could become the focal point for significant maritime disputes

These dynamics within the region all require extensive exploration in order to gauge the effectiveness of LOSC dispute resolution mechanisms. The Law of the Sea in South East Asia fills a gap in the existing literature by bringing together a holistic picture of contemporary maritime issues affecting the region in a single volume. It will appeal to academic libraries, government officials, think tanks and scholars from law, strategic studies and international relations disciplines.

The Regional World Order Boglárka Koller, Alexei D. Voskressenski, 2019-04-15. In the evolving post Westphalian world, regional entities become key political and economic players as the authors argue in this volume. As a result of regionalization, the international politics and economics is witnessing great transformations too. This volume explores some ideas of how these transformations may develop. It is written by three generations of researchers and scholars at European, Russian and Asian higher education institutions. Their different perspectives are integrated in a coherent multi-dimensional view to answer challenges facing what is called increasingly Greater Eurasia. The volume employs a rigorous conceptual framework over a wide geographic range and applies different approaches to ask and answer challenging questions. The arguments presented in this book are built around the concepts of regionalism and transregionalism. The volume is focusing on three different geographical entities: Europe, Eurasia and East Asia, and examines ASEM, EAEU, BRI, EU, ASEAN, CIS as well as TTIP, TTP, OBOR.

ASEAN Law and Regional Integration Diane Desierto, David Cohen, 2020-12-29. Since the passage of the ASEAN Charter in 2008, ASEAN has transformed itself from a loose economic cooperation into a formal intergovernmental organization designed to create an ASEAN Community forged together in three pillar communities: the ASEAN Political Security Community, ASEAN Economic Community and ASEAN Socio-Cultural Community. Forty years of pre-Charter ASEAN practices coupled with over ten years of post-Charter ASEAN practices thus far has witnessed the conclusion of hundreds of legally binding regional treaties and similarly binding international instruments in all areas of economic, political, security and socio-cultural concerns for Southeast Asia to achieve ASEAN's rule of law based development objective. Pre-Charter and post-Charter ASEAN Law is variably implemented under a hybrid governance system that depends heavily on ASEAN Member State national implementation alongside ASEAN's evolving regional institutions. The result is not a model of deep integration as in the case of the European Union, but a particular paradigm of horizontal embeddedness of ASEAN Law in all its norms and operational practices contingent on the capacities and compliance of national government bureaucracies in Southeast Asia. This edited collection is a concise authoritative volume covering the practical, doctrinal, legal and policy aspects of the new regime of ASEAN Law and its consequences for realizing rule of law based development in Southeast Asia's emerging single market and production base. Drawing together contributions from a range of key thinkers in the field, the editors present the legal and policy making issues implicated in the practical implementation of Southeast Asia's single market and its regime for the free movement of goods, services, foreign investment and cross-border labor. The book also examines the nature of regional law making under ASEAN before and after the commencement of regional integration in 2015, the nature

of ASEAN's economic regulators as well as the evolving structure for enforcement and harmonization of ASEAN Law through the array of Southeast Asian national courts arbitral tribunals and incipient mechanisms for inter State intra regional and individual State conflict management and dispute resolution This book is highly relevant to students scholars and policy makers with an interest in ASEAN Law and regional policy and to Southeast Asian studies in general

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