



**40th GENERAL ASSEMBLY
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THAILAND**



(Draft)

Concept Paper on Partnership for Good Regulatory Practices

Background

ASEAN is a people-centred and a people-oriented community. The three pillars of the ASEAN Community engage with citizens and stakeholders, as well as their global partners for consultations, collaborations, and partnerships to achieve the goals and objectives of the ASEAN Community through the implementation of the ASEAN Community Vision 2025.

The ASEAN Inter-Parliamentary Assembly (AIPA) and the national parliaments of the ASEAN Member States are instrumental in these endeavors both through their efforts to directly communicate with the people whom they represent, and in partnership with ASEAN and ASEAN external partners including AIPA Observer Parliaments.

The 40th AIPA GA under the theme “Advancing Parliamentary Partnership for Sustainable Development” complements Thailand's ASEAN Chairmanship theme for 2019 which is "Advancing Partnership for Sustainability", which seeks to pursue sustainability in all dimensions through close cooperation and partnership within ASEAN and the international community. Hence, the 40th AIPA GA provides legislative cooperation to support ASEAN's aims this year to become more future-oriented, by realising a Digital and Green ASEAN, and more connected within the Community and with the rest of the region, becoming a seamless ASEAN, which will enable ASEAN to become a sustainable ASEAN that can drive forward a people-centered Community that leaves no one behind.

On the political and security front, ASEAN continues to be concerned about human security, cybercrime, and non-traditional security. In the Economic Community pillar, ASEAN has strived to address economic challenges from climate change and environment, demographic changes, an ageing society, human resources development, disruptive economy, and digital transformation. On the social and cultural frontiers, ASEAN is working relentlessly on human rights, social justice, social welfare, cultural diversities, transboundary haze pollution, and marine debris.

In addressing these people-oriented challenges and driving the ASEAN Community forward as a global ASEAN, ASEAN Centrality is maintained in political and security, economics, and social and cultural relationships with the international community and the global powers. The global ASEAN is enhanced by the digitalised, cybersecurity-oriented, and a green ASEAN Community. It is strengthened by the sustainable development goals and streamlining of laws and regulations in the Member States in accordance with ASEAN legal instruments and international laws.

Good Regulatory Practices (GRP)

Good Regulatory Practices is essential to national competitiveness and is an imperative for regional integration. It is high on the agendas of national governments, regional and international organizations, and world development institutions. In their pursuits of good regulatory practices, the success for this derives from well-planned regulatory impact assessments (RIA), streamlining of regulatory standards, transparency, engagement, and international laws.

GRP is a significant contributor of the ASEAN Community. ASEAN introduction of good regulatory practices has its roots in the ASEAN economy and through the ASEAN Economic Community. This follows the prerogatives in the Master Plan on ASEAN Connectivity under which rules and regulations together with infrastructure and peoples are the three characteristics of the ASEAN Connectivity. The successive ASEAN Community Blueprint 2025 clearly underscored the significance of an ASEAN Good Regulatory Practices (GRP) in Element B 7 as the Effective, Efficient, Coherent and Responsive Regulations, and Good Regulatory Practice under the characteristics of A Competitive, Innovative and Dynamic ASEAN.

The 2016-2025 ASEAN Work Plan for Good Regulatory Practices which followed thereafter covered six key areas of an ASEAN GRP which shall sustain and maintain a robust ASEAN competitiveness and an ASEAN centrality in the global economy, namely;

1. Clarity in policy rationale, objectives, and institutional frameworks;
2. Produce benefits that justify costs and be least distortive to the markets;
3. Be consistent, transparent, and practical;
4. Support regional regulatory cooperation;
5. Promote stakeholder engagement and participation;
6. Be subject to regular review for continued relevance, efficiency, and effectiveness.

ASEAN regional integration necessitates policy and regulatory changes and refinements in most, if not all, the Member States taking into consideration their different levels of development. In view of digitalisation, disruptive economy, disruptive technology, inequality,

and social and cultural changes and imperatives, ASEAN Member States need to ensure that the respective regulatory regimes are relevant, coherent, transparent, tangible, and forward looking in terms of regulatory structures and design, as well as implementation processes, in order to enhance ASEAN's efforts to narrow development gaps and deepen ASEAN's aspirations for a balanced and equal Community which is free from poverty.

GRP is a soft aspect of sustainable development and it is thus an area of parliamentary competence where parliaments can best venture and divulge into. And true to the notion, AIPA is no less fully aware of the parliamentary role in facilitating regulatory developments in the ASEAN Member States. The 39th AIPA General Assembly in Singapore in 2018 not only encouraged the governments of the ASEAN Member States to build and strengthen capacity for regulatory reforms through the implementation of the GRP to ensure high quality regulation and regulatory coherence; to reduce the regulatory burden; and to improve the overall regulatory coherence and cooperation in the regions. It also urged AIPA Member Parliaments to monitor and review the existing regulations on GRP; to justify government actions; to consider a range of policy options; and to consult with interested parties, and enhancing engagement of stakeholders in the implementation of GRP.

A global ASEAN needs to be steered through a strong, robust, vibrant, and dynamic legal and regulatory foundation. A rules-based ASEAN Community guarantees a peaceful and predictable ASEAN Community. A good regulatory ASEAN that is rules-based, seamless and connectable among the Member States and with the global community is a central piece of ASEAN Centrality. It would augment ASEAN's resilience to withstand and weather the myriads of challenges and to gain and benefit from the pool of opportunities.

Thus, it is high time to implement the 39th AIPA General Assembly Resolution on GRP in its entirety; first, through sharing of parliamentary experiences and best practices on the subject; and second, through bilateral cooperation, collective actions and partnerships on GRP among AIPA Members and between AIPA and Dialogue Observers on common areas of regional interests and global concerns, so as to ensure a sustainable and people-centred ASEAN Community and a responsible global ASEAN. The AIPA Secretariat is called upon to facilitate the continuity of the implementation of this AIPA resolution at future General Assemblies, including to monitor and report on the outcomes and progress of parliamentary actions on GRP.

Expected Outcomes

1. Sharing partners' experiences and good practices on GRP.
2. Cooperation on GRP between AIPA and AIPA Observer Parliaments.
3. Monitoring, following up on activities, and reporting of progress on GRP by the AIPA Secretariat, which should also include the results of Dialogue Observers discussions on GRP.

The follow up activities may also include discussions on any topics from past, present, and future AIPA Dialogues with Observers.